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# THE MELROS PAPERS.



STATE PAPERS,  
AND  
MISCELLANEOUS CORRESPONDENCE  
OF  
THOMAS, EARL OF MELROS.

VOLUME SECOND.

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## CCIII.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

WHEREAS youre maiestie wes pleased, at youre first going frome hence into England, of youre speciall grace and fauour, to bestow the place of one of youre maiesteis feriantis at armes in ordinarye, with the fee of ijs. vjd. per diem, to youre maiesteis seruitour, Alexander Douglas, one of the ordinair maifaris of youre maiesteis Preuie Counsaill and Sessioun in this kingdome; and althoght the vsuall number of feriantis at armes in England wes bot xvi, whiche number wes then full, yitt youre maiestie at that tyme did rewarde findrie otheris of youre maiesteis antient seruandis in that kynd, by adding bothe to the number and fees of placeis, whiche remaned and continewit so till the placeis become voyde, and then were reduceit to the satled number. And becaus the necessitie of the said Alexander his attendance vpoun youre maiesteis seruice heir, vrged him to mak his addresse and returne home, he enterit in conditioun with one Richard Hall, Englishman, for a surrender of the said place in his fauour, and he fauld the same vnto him, and procured youre maiesteis gracious fauour, for admitting of the said Maister Hall in his place, and he accordinglie wes creat ane feriant at armes; bot for omiffioun of some circomestanceis in pointis of formalitie, concerning youre maiesteis grant maid to Maister Hall, and the surrender whairupoun the same proceidit, thair appeareth a manifest defect in the said grant, whiche may breid some questioun aganis him. And Maister Douglas finding him bund in conscience to rectifie the said defect, and to do quhat in him lyes, to mak the place goode to Maister Hall, seeing he ressaues some consideratioun for the same, he is thairfoir a humble suteair vnto ws, that we wald intreate youre sacred maiestie to declair youre royall pleafour in fauouris of Maister Hall, for his quiet enioying of the said place, with the fee of ijs. vjd. per diem, as hitherto it hes beene, and for avoyding of

forder contentioun, that youre maiestie wald be pleafed to signifie youre pleafour to the Lord Chamberlane for the tyme being, that vpoun the nixt avoyding of ony of the xvj feriantis, that the said Maister Hall may be admittit, conforme to his patent, and enioy all fees and dewyteis incident to that place. And so crauing youre maieftis pardoun for this oure presumptioun, humblie praying God to blisse youre maiestie with a lang and happie reignn, we rest

Your Maieftis most humble and obedyent  
subiectis and feruitouris,

AL. CANCELL<sup>s</sup>.  
WINTOUN.  
ROXBURGHE.  
LOTHIANE.  
MELROS.

Edinburgh, 27 October 1619.

To the King his most facred and excellent  
Maiestie.

CCIV.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

HAUEING keepit a grite number of dyetis with the marcheantis and skipparis, anent that mater of the restreante of fraughting of strangearis shippis, fa oft recommendit be your maiestie vnto ws, and haueing at verie grite lenthe, and with goode aduise and deliberatioun, hard and discuffit the haill reffonis and obiectionis, with the anfueris, replyis, and duplyis

gevin in and proponnit be worde and write thairanent, in end, after lang debait and conteftatioun on ather fyde, we broght thame to this point, that with mutuall confent the refreante for all tradis, except the easterlyne trade, wes aggreit vpoun, and nyne perfonis wer nominat and fworne for ather fyde to fett down the fraughtis ; towitt, fax marcheantis and three marcheant awnaris, for the marcheantis, and fax fkipparis and three marcheant awnaris for the fkipparis : whilkis perfonis, in diuers meetingis had be thame for that effect, did verie weele aggree vpoun the fraughtis, and fett the fame down to the full contentment and lykeing of all partyis. Bot, anent the easterlyne trade, we fand fo many difficulteis thairin, and fa many cleir and fenfible grevanceis to follow thairupoun, as we could not without the euident hurte of the haill cuntrey yeild thairunto ; ffor this easterlyne trade confiftis altogidder of fuche neceffair wairis as the cuntrey can not want, efpeciallie of tymmer, pik and tar, quhilkis being neirby nyne of ten pairtis of that haill trade, thay ar not able to beare fuche fraughtis as oure cuntrey fhippis may ferue for ; nather haif we fhippis meete and commodious for that trade ; but thefe wairis being importit be ftrangearis at easie and reafoenable fraughtis, thay ar accordinglie fauld at moderat pryceis to youre maieftis fubiectis, whereas yf the refreant were allowit, not onlie wald the pryceis of thir neceffair wairis be extraordinarie highted, bot the cuntrey, through laik of cuntrey fhipping commodious for that trade, wald be in dangeir to be fpoyled of the faidis wairis. And this being the trew refpect and caus diverting ws frome the refreante in that pairt, we pronunceit and intimat the fame to the pairtyis, bot fo far wer the fkipparis frome acquiefceing thairunto, and frome imbraceing the refreante for the fouth and weft tradis, as they paff frome all that wes done in this buffynes, defiring, according to thair formair proteftationis ever maid in the haill progres of this proces, that thay might be reponnit in thair awne placeis, and that no refreante fould be maid at all, vnles the easterlyne trade wer comprehendit. This being the effect of oure proceedingis in this buffynes, we humelie prefent the fame to youre maieftis confideratioun, befeeiking youre maieftie not to tak in evill pairt, that this refreante for the easterlyne trade wes not concludit, fince the fenfible and feene hurte of the cuntrey wes the occafion

thairof. And so, with oure humble and eirnist prayers vnto God for youre maiesteis lang and happie reignn, we rest

Youre Maiesteis most humble and obedient  
subiectis and feruitouris,

AL. CANCELLS.  
GEORGE HAY.  
A. MAR.  
LAUDERDAILL.  
MELROS.

JA. GLASGOW.  
CARNEGIE.  
R. COKBURNE.  
KILSAYTH.  
W. OLIPHANT.

Edinburgh, the fourte of Nouember  
1619.

To the King his most sacred and excellent  
Maiestie.

CCV.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOVERANE,

HAVEING, according to youre maiesteis directioun, caufit charge the prouest, baillies, deane of gild, thefaurair, and some of the counsell of Edinburgh, to prouide thame selfis with rid scarlatt gownis, betuix and the xxiiij day of December instant, thay thairupoun become petitionaris vnto ws, that we wald impairt vnto your maiestie the difficulteis and reffonis gevin in be thame quhairfoir thay can not goodlie be burdynnit with the faidis gownis; To witt, that quhairas by the constant custome of the said burgh, inviolablie obseruit in all tyme bigane, the weareing of blak gownis as a most decent, grave, and comelie habite, beseameing magistratis of burrowis, hes onlie bene in vse within the said burgh, and quhairwith the



fame hes alwayes bene verie fufficientlie and weele furnift, yitt at the tyme of your maieftis late comeing to this kingdome, the haill magistratis and counsell of the faid burgh for the tyme, with a grite number of the honneft nightbouris of the fame, who of befoir were weele aneugh prouidit with goode and handsome gownis, wer inioyned to prouide thame selffis of new with more ritche blak gownis, lynnit with blak veluott or coiftlie furringis, for youre maieftis receptioun within the faid burgh. Quhilk being accordinglie done be thame, for the credite and reputatioun of the faid burgh, to thair grite chargeis and expenffis, youre maieftie wes gratioufflie pleafit at that tyme to allow thairof, and the noblemen and otheris of England that attendit youre maieftie, and beheld the ordour obseruit within the faid burgh, did acknowlege the fame to be bothe ritche, grave, and comelie. And now, yf a neceffitie of rid gownis falbe vrged vpoun thame, and consequentlie vpoun thair fucceffouris, thair wilbe few or nane had to accept any charge or office within the faid burgh heir-efter, be reffoun that not onlie will thay be withdrawne frome thair awne calling, and tyne thair tyme and handling for that yeir, bot this new burdyne of rid gownis, quhilk wilbe verie chargeable and expenfiue vnto thame, will ly vpoun thame. And quhairas the custome of England may be obiectit to thame, thay anfuer, that thair conditioun in this caife is not alyke, ffor thefe of England, ferueing in the lyke placeis, hes goode allowance and fees able to raimburs thair haill chargeis, and the office of Alderman thair is *ad vitam*, whereas the magistratis and counsell of the burrows of this kingdome ar changeable yeirlie, and thay ar not capable of thair placeis the yeir following, and thay ferve freelie without fee or allowance. And towcheing that point inioyned to the proueft to weare a grite chayne of gold in tyme of Parliamentis or otheris folempniteis, thay anfuer, that the proueft of Edinburgh hes no place in the Parliament Houfe, and is never imployed as a commiffionar thair; and, yf he haif occafioun to kyithe at thefe tymes, it is vpoun the freit in armes, accompanied with the nightbouris of the toun for gairding of the Parliament; at whiche tyme a gold chayne is nather feamelie nor fitting. Thir being the reffonis gevin in be thame to ws, we humelie present the fame to youre maieftis confideratioun, affureir g youre maieftie, that the

magistratis and hail counsell of the said burgh do euerye Sonday, and otheris dayis of solempnitie, weare thair blak gownis in decent and comelie forme and ordour: and we wilbe humble intercessouris vnto youre maiestie in thair fauours, that in regaird of the mony grite burdynis lyand vpoun the said burgh, and the grite chargeis thay haif bene at thir diuers yeiris bigane, bothe in thair priuat and publiet adois, that youre maiestie wald be pleasit to dispens with thame anent thair rid gownis, conditionallie, that thay weare thair blak gownis in maner, and at the tymes prescryued in your maiesteis directionis formarlie gevin heiranent. And so craueing youre maiesteis pardoun for this our presumptioun, and humelie praying God to blisse youre maiestie with a lang and happie reigne, we rest

Youre Maiesteis most humble and obedient  
subiectis and seruitouris,

AL. CANCELL<sup>s</sup>.  
MELROS.  
KILSAYTH.  
A. MAR.

LAUDERDAILL.  
J. ERSKYNE.  
GEORGE HAY.

Edinburgh, 14 December 1619.

To the King his most sacred and excellent  
Maiestie.

CCVI.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

THE baillies of Edinburgh being at lenth hard be ws in that mater whiche your maiestie recommendit vnto ws, on the behalff of youre maiesteis seruitour, Williame Todrig, towcheing the surveying and trye-

ing of the fufficiencie of the rid hering maid and tranſportit furthe of this kingdome, and his agent, whome he nominat to attend this buſſynes, being lykewayes preſent and hard, and diuers obiectionis being maid be the ſaidis baillies aganis the expediting of the ſaid Williame his patent, and anſueris being maid thairunto be his ſaid agent : at laſt the ſaidis baillies come to ane peremptour and materiall pointe whilk we could not gett paſt by, to witt, thay alledgeit and produceit ane patent maid, and gevin be youre maieſtie vnder youre grite ſeale, to the proueft and baillies of the ſaid burgh and thair ſucceſſors, by the whilk, youre maieſtie hes grantit vnto thame the office, libertie, and preuilege of viſeing, gaidgeing, ſealing, or ſtamping of the haill barrellis of hering and quhyte fiſhe within this kingdome. And this patent being red in oure audience, and conferit with the patent craved be the ſaid Williame, we fand thame bothe to agree togidder in that pointe anente the ſurveying or trying of the fufficiencie of the hering, and ſwa in effect and ſubſtance to contene all that is craued be the ſaid Williame: And ſeeing the ſaid patent ſtandis in force, vnquarrellit or brought in queſtioun, we could not gif way to the ſaid Williame his patent, nor expedde twa patentis vpoun ane ſubiect, vnles we walde ingage the ſaid Williame in ane neidles proces with the ſaid burgh anent the validitie of his patent, whairin, to oure opinionis, be courſe of law he wald not preuail. And this being all that we could do in the buſſynes, we humelie preſent the ſame to youre maieſteis conſideratioun, with oure earneſt prayeris vnto God for youre maieſteis lang, happie, and bliſſed reigne. Frome Edinburgh, the xvj day of December 1619.

Your Maieſteis moſt humble and obedyent  
ſubiectis and ſeruitouris,

AL. CANCELL<sup>s</sup>.

WINTOUN.

LAUDERDAILL.

MELROS.

ROXBURGHE.

To the King his moſt ſacred and  
excellent Maieſtie.

## CCVII.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

ACCORDING to the commissioun and warrand of the laite parliament, and youre maiesties command and directioun following thairupoun, we haif had diuers meetingis and conferenceis vpoun that subiect recommendit vnto ws, anent the reformeing of the abuse of tanning of ledder within this kingdome; and we callit befor ws some of the principall tannaris of the cheif burrowis, and certane cordinaris of goode credite, knowledge, and experience in that trade, be quhome we ar trewlie and sufficientlie informed, that the said abuse proceidis frome the ignorance and vnskillfulnes of the tannaris thamefelffis, and that thair is a necessitie of inbringing of strangearis for instructing of thame in the right forme of tanning. Quhairupoun, after mature aduise and lang deliberatioun, we haif layed down some groundis, how and be quhome, thir strangearis falbe broght in and intertenyed during the prefixt tyme of thair aboade heir, quhat conditionis thay falbe subiect and tyed vnto, and quhat course falbe prescryued vnto thame, towcheing thair behauour and cariage; lyke as we haif maid some prouisionis and cautionis, for the dewtifull cariage of these, quhome your maiestie falbe pleased to truste with the seale, with the particularis quhairof, being loathe to impeshe youre maiesties more important and princelie affairis, we ar onlie to acquaint youre maiestie with this one pointe, that the burdyne and charge of the inbringing and interteynying of thir strangearis, and of all otheris the deburfementis to be maid in this seruice, must be layed vpoun him quho falbe trusted with the seale: and becaus the seruice wilbe chargeable vnto him, and that in mony yeiris the commoditie arryiseing be the seale will not be anfuerable to his deburfementis, and we haueing confideratioun that this intendit reformatioun will proue verie profitable not onlie to the tannaris, bot to the haill kingdome, we haif thairfoir sett the price of iiij s Scottis vpoun euerie hyde that falbe sealled during the terme of xxj yeiris; at the ex-

pyreing of the whilk terme, becaus the seruice will then become facile and easie, without ony forder necessitie of advancement, we haif appointit the price of the seale to be onlie xij ð Scottis thairefter; quhairupoun, according to youre maiesteis directioun, we haif drawne vp, and heirwith fend vnto youre maiestie, ane signatour, to indure for the space of xxxj yeiris, to the effect youre maiestie, after confideratioun thairof, may tak fuche forder course thairin, as youre maiestie in youre incomparable wifdome shall hald fittest. And so, humelie praying youre maiestie to tak in goode pairt, oure simple trauellis and indeuoiris in this buffynes, and frome oure hairtis, praying God to blisse youre maiestie with the continewance of mony lang and happie yeiris, we rest for ever

Youre Maiesteis most humble and obedient  
subiectis and seruitouris,

AL. CANCELL<sup>s</sup>.  
A. MAR.  
SANCTANDREWS.  
WINTOUN.  
WIGTOUNE.  
MELROS.  
LOTHIANE.

JA. GLASGOW.  
W. OLIPHANT.  
CRANSTOUNE.  
CARNEGIE.  
AL. ELPHINSTON.  
GEORGE HAY.

Edinburgh, the first of Februar 1620.

To the King his most sacred and  
excellent Maiestie.

CCVIII.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

WE ressaute youre maiesteis letter concerning the Maxuellis of Gararie, by the quhilk, it is youre maiesteis pleasour, that we sould vse all possible and exact meanis for tryeing of the treuthe of that murthour

layed to thair charge, and that thairefter we fould do thairin as we wilbe anfuerable to God and youre maieftie. Vpoun the reffett and confideratioun of the whilk letter, we enterit in deliberatioun, how fer by law we might proceed in a mater of this kynd, and, after lang reafouning and conference had thairupoun, we find that in criminall perfuitis, quhair the pannell is clengeit, the perfewair finding iuft caus of greiff aganis the proceedingis and verdite of the affise, hes verie competent actioun of a fecund tryall and proces of error aganis the affise; bot quhair the pannell is convict, and sentence accordingle pronunceit, no fecund tryall nor proces can be admittit, and the iudgement can never thairefter be broght in questioun; ffor, in that caise, the fouerane courte of the Criminall Iustice, and the procedouris thair of, vpoun euerie intervening occafioun, may be quarrellit, and mony imputationis wald thairupoun follow, to the difgrace of that iudgement, whilk is one amangs the first in dignitie within this kingdome. Alwayes for youre maiefties informatioun of the trew estate of this buffynes, so far as we haif learned be the progres of the proces, we haif heirby thocht meete to present vnto youre maieftie ane breif relatioun of the fame as thay fell oute, to witt, Gararie, vpoun the first brute and rumour of that murthour, being committit to warde as fufpect guiltie of the fame, and being diuers tymes broght to his examinatioun, and diuers witneffis at findrie dyetis being produceit aganis him, and he and his sone being confrontit vpoun certane interrogatouris, circumstancis, and prefumptionis gevin in aganis thame, for drawing of thame vnder the guylte of that murthour, thay ever abaid constant be thair denyall; and althocht the saidis prefumptionis feamed to furneis some litle mater of fufpitioun, yett thay wer not so pregnant as the gravite and importance of fuch a mater requirit, whilk maid ws to inclyne to a continewatioun of the last dyet appointit for thair tryall, till God, and tyme the moder of trewthe, fould produce a more cleir difcouerie of the fame. Bot he and his sone, relying vpoun thair innocencie, and being weyreit with thair lang imprifonment, and grite foumes quhairupoun thay had found cautioun to be anfuerable to thair triall, and with the foull and haviie imputatioun and scandall of that murthour, whilk they vnderly; and the young man haueing come heir frome courte poift, with verie grite diligence, for keeping of the said last dyet; thay vrged thair tryall

with fuche vehemencie and instance, and with fuche importunitie and paffioun, as we could not, with reffoun, refuse nor deny the fame vnto thame; quhairupoun thay being broght to thair tryall, and an affise being reffaut and sworne, thay wer fundin guiltie be the affise, and sentence condampnitour pronuncid aganis thame, thay in the meantyme protefting, with mony grite aithis, thair innocencye; and thay continewit constant with these proteftationis, notwithstanding the trauellis tane be the ministeris to haif drawne them to a confessioun, till thay wer broght to the scaffolde, at the foure cornaris quhairof, and at thair last prayer, vpoun thair knees, vnder the aix, thay ratifeit all thair formair proteftationis, ever inuocating the blessed Trinitie to be thair iudge in that caise, whilk maid fuche ane impreffioun in the hairtis and opinionis of the beholdaris, that thay all inclynnit rather to think thame innocent nor guiltie. And the pairtie persewair, vpoun notice of this thair constant denyall, at the last pointe of deathe, consentit to a continewatioun of thair executioun, and in effect ar agreit with thame, and will mak no oppositioun to ony fauour or mercye that youre maiestie wilbe gratiousslie pleasit to shoue vnto thame. Whilk remitting to youre maiesteis most excellent iudgement, seeing the mater now restis vpoun youre maiesteis determinatioun, and frome our hairtis praying God to blisse youre maiestie with mony lang and happie yeiris, we rest

Your Maiesteis most humble and obedient  
subiectis and seruitouris,

AL. CANCELL<sup>s</sup>.

MELROS.

W. OLIPHANT.

AL. ELPHINSTON.

SANCTANDREWS

LAUDERDAILL.

R. COKBURNE.

CARNEGIE.

GEORGE HAY.

Edinburgh, the thrid of Februar 1620.

To the King his most sacred and  
excellent Maiestie.

## CCIX.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

FOR satisfiactioun of youre maieftieis command and directioun in that mater, recommendit be youre maieftie to ws, towcheing the tryall of the circomeftanceis of the slaughter of vmquhyll Walter Scott, sone to Walter Scott of Harden, committit be Symon Scott of Bonnytoun, and yf the offeris alledgeit, maid on the behalff of the faid Symon, and produceit vnto youre maieftie, wer in deid maid or nott: we conuenit befor ws the faid Walter Scott of Harden, and his eldest sone, with the wyffe of the faid Symon, and Johnne Tuedie, who attendis his affairis and busynes now in his absence; and we alsua write for the reliet of the faid vmquhile Walter, whose absence, vpoun some confiderationis, wes excuifit; and haueing, at lenthe, hard thame, alsweill anent the forme and maner of the slaughter, as anent the making of the faid offeris, we fand litle contrarietie concerning the offeris, bot the forme and maner of the slaughter wes contravertit, quhairupoun we assignit vnto thame bothe the xxij of this instant, for proueing of the circomeftanceis of the faid slaughter. At quhilk day a number witneffis being produceit be thame, and thair obiectionis *hinc inde* aganis the witneffis being hard and discuft, and accordinglie some of thame repellit and fett, in end a number of witnefs wer admittit and fworne, and verie exactlie examinat in prefence of the whole counsell; quhose depositionis we haif heirwith fend vnto youre maieftie, to the effect youre maieftie, after confideratioun thair of, may, in the excellencie of youre awne iudgement, gif fuche forder ourdour and directioun thairanent, as your maieftie shall think goode. And so,



continewing oure humble and eirnist prayeris vnto God for youre maief-  
ties lang and happie reigmn, we rest

Youre Maieftis most humble and obedient  
fubiectis and feruitouris,

AL. CANCELLS.  
MELROS.  
R. COKBURNE.

A. MAR.  
LAUDERDAILL.  
GEORGE HAY.

Haliruidhous, 24 February 1620.

To the King his most sacred and  
excellent Maieftie.

CUX.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

WE reffaut youre maieftis lettre concerning the Maxwellis of Gara-  
rie, by the quhilk, youre maieftie hes most cleirly and iuditiously explaned  
youre self anent that pairt of the directioun of youre maieftis first lettre send  
vnto ws, quhairby we wer commandit to vse all possible meanes and tryall, to  
find oute the treuthe of that murthour layed to thair charge. In quhilk  
point, as we omittit no panes, trauellis, nor diligence, that oure awne  
iudgement, or the informatioun of the pairtie could direct ws, so by oure  
last lettre we acquaintit youre maieftie particularly thairwith. And  
quhairas, now it is youre maieftis pleasour, that the aggrement betuix  
the pairtyis shall go forward, that so, with all menis goode lykeing, thir  
Maxuellis may be releasid, it will please youre maieftie to knowe that the  
aggrement is alreddy maid, bot the finall accomplisheing thair of, de-  
pendis vpoun youre maieftis fauour to be showne to the saidis Maxuellis,  
becaus the aggrement is conditionall in that point; quhilk being

grantit, we fall tak fuche ordour, as that mater falbe fullie and finallie fatled, and the pairtie releafed, with all menis contentment. And fo, with oure humble and eirnist prayers vnto God for your maiefteis lang and happie reiggn, we reft

Youre Maiefteis moft humble and obedient  
fubieētis and feruitouris,

AL. CANCELL<sup>r</sup>.  
MELROS.  
A. MAR.  
GEORGE HAY.  
WINTOUN.

Haliruidhous, 24 February 1620.

To the King his moft facred and  
excellent Maieftie, etc.

CCXI.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

ACCORDING to youre maiefteis directioun, we haif maid and caufit publishe, ane new proclamatioun for reftreaneing the tranfporte of paffingeris to that kingdome, who hes no laughfull earand thair, bot to importune and fashe youre maieftie with thair fuitis and begging, to the difcredite and scandall of this natioun. And we fhall haif a cair that the fkipparis offending in this cafe, falbe puneift accordinglie. Bot quhairas, it is your maiefteis pleafoure, that fome ordour falbe eftablifhed for reftreaneing of fuche, as, being hinderit to come be fea, may come in be the middlefhyres, that is a point very difficle, and hardlie can ony

courfe or ordour be eftablifhed thairanent ; ffor, as youre maieftie knowis, the boundis of the middlefhyris, compting frome Beruick to Carlile, ar very fpacious and wyde, and it is not poffible that attendance can be gevin at all the pairtis and placeis within thefe boundis, quhair commoditie of paffage may be had. Alwayes, we haif tane this courfe, as the beft expedient, in oure opinionis, to releue and freethe youre maieftie frome the importunitie and fafherie of thir idle and impertinent fuitaris and beggaris; to witt, by the proclamatioun foirfaid, we haif ftraitle forbidden all perfonis, whose pretext of comeing to youre maiefteis courte is for fuitis or begging, on nawayes to repair thairto, be fea nor land, without a teftimonie frome youre maiefteis counfaill of the laughfulnes of thair earand, vnder the pane to be fent bak with difcredite, and to be pvneift, according as youre maieftie fhall fend down informatioun of thair misbehauour and cariage. And yf youre maieftie falbe pleafit to allow of this courfe, and accordinglie caus fome twa or three of thir importune fuitaris to be fend home, with youre maiefteis aduife how thay falbe pvneift, we ar of opinioun, that the pvnifhement of thame falbe a terrour to all otheris to offend in the lyke caife heirefter; quhilk remitting to youre maiefteis more iuditious confideratioun, and humelie praying God to bliffe youre maieftie with a lang and happie reigne, we reft

Youre Maiefteis moft humble and obedient  
fubiectis and feruitouris,

AL. CANCELLS.  
MELROS.  
A. MAR.  
ROXBURGHE.  
BUKCLEUGHE.

Edinburghe, 8 Junij 1620.

To the King his moft facred and  
excellent Maieftie.

## CCXII.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

By youre maiesteis lettre, writtin to the Erll of Melros, youre maiesteis secretarie, we persaue that youre maiestie hes tane some offens vpoun occasioun of ane informatioun send vp to youre maiestie, That quhen youre maiesteis commandment of confyneing of certane disobedient personis of Edinburgh wes exhibite in counsell, some questionis and doubtis wer proponned, how far youre maiesteis commandmentis in the lyke caises might extend, quhilk your maiestie hes interprete to be a direct calling of youre royall authoritie in question. We ar forie that in a mater of this kind, towcheing youre maiestie onywayes in youre royall prerogatiue and authoritie, that fuche sinister informationis fould haif bene maid of ws; ffor, as we ar all free of that mater, and never harbourit any fuche notioun in oure hairtis as to chope at the meanest point of youre maiesteis authoritie; so, quhen youre maiesties commandment and lettre for confyneing of thir men wes exhibite and red in counsell, thair wes never so mutche as ane word spokin, quhilk, in direct or couloured sence, might haif impugned the same; bot the haill nomber that wes present, of whome few ar this day absent, acquiesceit thairunto, without proponing of ony questioun or doubt aganis the same, or speakeing of ony ane worde quilk, in sence or consequence, might haif bene interprete to the preiudice of youre fouerane authoritie. All the questioun that wes in handis, wes onlie anent the tymes of the entrie of thir personis in warde, quhilk necessarlie required some confideratioun, in respect of the pouirtie of some of thame, the aige and infirmitie of otheris, and the far distance of thair warding placeis, whilk moued the counsaill to grant vnto thame a reasonable tyme to enter, for the better inhabilling of thame to mak thair prouisioun and furnishing. This being the simple treuthe of all that wes done or spoken in that buffynes, we humblie present the same to youre maiesteis fauourable confideratioun, requeisting youre maiestie, not to gif haistie credite to informationis of this kynd, quhairby youre maiesteis

faithfull seruandis and counsellouris may be wronged, and the finceritie of thair behaiour and cariage in youre maiesteis seruice randerit fuspitious; bot in this, as in all otheris thingis, submitting oure selffis to youre maiesteis most excellent iudgement, and frome oure hairtis praying God to blisse youre maiestie with the continewance of mony lang and happie yeiris, we rest

Your Maiesteis most humble and obedient  
subiectis and seruitouris,

AL. CANCELL<sup>s</sup>.

MELROS.

G. MURRAY.

J. ERSKYNE.

A. MAR.

SCONE.

ROXBURGHE.

W. OLIPHANT.

Halyruidhous, xv Junij 1620.

To the King his most facred and  
excellent Maiestie.

CCXIII.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

THAIR wes ane petitioun exhibite this day to youre maiesties counsell, in name of the noblemen, baronis, and gentilmen of this kingdome; and it wes bakit with the presence of a nomber of the baronis of Lothiane, who constantlie affirmed that thay had warrand to that effect, from diuers of the noblemen, baronis, and gentlemen that wer in the burgh of Edinburgh at this last Witfoun terme, complening and havilie regraiting the sensible harme, that not onlie thay, bot the hail subiectis of this kingdome, sustenit through the penurie and scairftie of moneyis within the same, quhairby thay thame selffis wer dishabilled frome keeping of thair credite, and thair poore tennentis and labouraris of the ground wer liklie, in short tyme, to leave thair rowmes, and to cast and lay the

fame wait. And thairfoir, thair humble petitioun vnto ws wes, that a toleratioun might be gevin to some certane spaceis of foreyne coyne to haif courfe heir at competent pryceis, vnder your maieftis awne coyne, for a certane space, to the intent that thairby moneyis might be broght within the cuntrey, and your maieftis subiectis of all rankis maid the more able to defray thair debtis, and discharge thair otheris adois accordinglie. Thair petitioun being at lenthe hard and confidderit, and the generall complaynte and regrait of the subiectis through the scairtie of moneyis being verie weeke knowne, yitt we wald not prefoome to medle in that mater, according to the proiect proponned, without youre maieftis consent and allowance, bot hes remittit the fame to youre maieftis most iuditious and graue confideratioun, and quhateuer youre maieftie falbe pleasit to command thairin, outhir by allowing or disproueing of the said proiect, falbe accordinglie followit. And yf it falbe youre maieftis pleasour to allow thair of, vpoun significatioun of youre maieftis will thairanent, a speciall regaird and cair falbe had, that bothe anent the particulair spaceis quhilkis falbe tollerat to haif courfe, and anent the pryceis of the fame, fuche a moderat ordour falbe tane, as the importance and necessitie of the mater and the weeke of the cuntrey requiris. And so, praying the Almighty God to blisse youre maieftie with mony lang and happie yeiris, we rest

Youre Maieftis most humble and obedient  
subiectis and seruitouris,

AL. CANCELLS.  
PA. ABERDENE.  
LAUDERDAILL.  
WINTOUN.  
J. ERSKYNE.

WIGTOUNE.  
BUKCLEUGHE.  
PA. B. OF ROSS.  
MELROS.

Haliruidhous, 29 Junij 1620.

To the King his most sacred and  
excellent Maieftie.

CCXIV.—THE EARLS OF DUNFERMLINE AND MELROS TO KING JAMES VI.

MOST GRATIOUS SOUERANE,

ACCORDING to youre maieſteis directioun, we fend for the Erll Abircorne, and the Counteſſe his moder, and trauellit verie eirniſtlie with thame in that mater recommendit be youre maieſtie to ws, anent the ſubmiſſioun vrged be youre maieſtie of the materis queſtionable betuix thame and Sir George Hamiltoun. The Counteſſe excuſit hir ſelff, as haueing no mater of queſtioun or conteſtatioun with the ſaid Sir George, and ſho refuſed to tak ony burdyne for hir ſone, in reſpect of his minoritie, and the Erll him ſelff declairit that he had conferrit with his curatouris anent this ſubmiſſioun, who aduiſit him not to enter in ony generall ſubmiſſioun with the ſaid Sir George, vnles he wer particulair in his clayme quhat he had to crave; and becaus Sir George refuſed to be particulair in that pointe, his curatouris wald not ioyne with him in that ſubmiſſioun. And ſo finding ane vnwillingnes in thame to ſubmitt, and that thay eſhewed and fled the ſame, we haif left bothe pairtyis to the ordinarie courſe of the lawis, quhairin we fall haif a ſpeciall cair and regaird that juſtice ſalbe accordingly miniſtred as youre maieſtie hes directit. And ſo, with our humble and eirniſt prayers vnto God for youre maieſteis lang and happie reigun, we reſt

Youre Maieſteis moſt humble and obedient  
ſubiectis and ſeruitouris,

AL. CANCELL<sup>s</sup>.  
MELROS.

Haliruidhous, the xij of July 1620.

To the King his moſt ſacred and  
excellent Maieſtie.

CCXV.—CERTIFICATE IN FAVOUR OF SIR HENRY WARDLAW, HER LATE  
MAJESTY'S CHAMBERLAIN.

WE, vnder subfcryveand, havene hard, examined, and tryit the comptis maid be Sir Henrie Wardlaw, chalmerlane for the tyme to the quenis moft excellent maieftie, of bliffed and happie memorie, of the Lordfchip of Dunfermling, Erldome of Rose, Lordfchipis of Ardmenach and Ettrikforrest, of the termis of Witfonday and Mertimes, crope and zeir of God ane thoufand fix hundrethe and aughtene zeiris, conforme to ane perticuler commiffioun direct be the kingis moft sacreid maieftie to ws for that effect; we haue allowed, admitted, and subfcryuit the faidis comptis, and hes fundin the faid Sir Henrie to haue maid juft compt, reknene, and compleit payment of his intromiffioun of the frutis, rentis, and cafualiteis of the faid Lordfchip of Dunfermling, Erldome of Rose, Lordfchipis of Ardmenach and Ettrikforrest, of the termis and crope aboue specificit; quhilkis we testifie be thir prefentis, subfcryuit with our handis at Edinbrughe, the aughtene day of July 1620 zeiris.

AL. CANCELLS.  
MELROS.  
GEORGE HAY.  
W. OLIPHANT.  
G. MURRAY.



## CCXVI.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

WE reffaued youre maiefteis lettre, towcheing the fuite maid to youre maieftie, on the behalff of the Lord Gordoun, for a tak of the rentis and cafualtyis of Orknay and Yetland, to be fett to him after the expiring of the Lord Vchiltrie his tak ; and by this letter, it was youre maiefteis pleafoure, that we fould not onlie heir the faid Lord Gordoun and his offers, and all otheris (yf ony be) who ar defyrous to medle in that mater, bot that we fould acquent youre maieftie with thair feuerall offers, and with oure opinionis anent the expedience of the fetting of the faidis rentis and caufualtyis in few. According to the directioun of the faid lettre, we haif hard the Lord Gordoun, and hes conferrit with him at lenthe vpoun that fubieēt, who fayis, that in the offer maid vnto youre maieftie on his behalff, ther wes no other conditioun, bot that fame yeirlye dewtie payit be the Lord Vchiltrye for his tak, extending to fourtie thowfand merkis, quhairunto he will yitt ftand, and he offeris fufficient caution for affurance of the payment, of the quhilkis cautionaris he gaif in a roll of a number of refponfall and anfurable baronis and gentlemen. We haif hard no other fuitaris as yitt, be reffoun of the fchortnes of the tyme, bot yf ony fall prefent thame felffis, thay fall reffaue fauourable heareing, and youre maieftie falbe acquentit with thair offers. And towcheing the other pointe of youre maiefteis lettre, anent the expedience of the fetting of the faidis rentis and caufualtyis in few, that is a pointe of weyght and importance, craueing bothe tyme and laifer, and mature aduife and deliberatioun, for mony thingis will occur and be incident in that proieēt, quhilkis vpoun a fuddane can nouthir be foirfeene nor degeifted. Alwayes we haif gevin ordour for lookeing oute of the rentallis of Orknay, and Yetland, and, after examinatioun of the particularis thairrof, and dew confideratioun of youre maiefteis interes, bothe anent the few and the tak,

we fall acquent youre maiestie quhat, in oure opinionis, we holde fittest to be done bothe for youre maiesteis proffeit and weele of the subiectis. We haif beene spairing to be too hastie or to precipitat this buffynes, becaus thair is tua yeiris of the said Lord Vchiltrie his tak as yitt to rinne, bot we fall vse fuch conuenient diligence thairin, as fall gif vnto youre maiestie satisfiactioun. And so, with oure humble and eirnist prayeris vnto God for youre maiesteis lang and happie reigne, we rest

Youre Maiesteis most humble and obedient  
subiectis and seruitouris,

AL. CANCELL<sup>s</sup>.  
MELROS.  
A. MAR.

W. OLIPHANT.  
G. MURRAY.  
GEORGE HAY.

Haliruidhous, 20 July 1620.

To the King his most sacred and excellent  
Maiestie.

CCXVII.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

THE caus quhairfoir we haif so lang deferred the returning of oure opinioun vnto your maiestie towcheing the signatour of the burgh of Edinburgh, anent the new worke intendit and begvn thair, for making of cloathis and stuffis of diuers kindis within the said burgh and liberties thairof, proceedit frome the cair we had, according to youre maiesteis most iuditious and princelie directioun, not onlie to foirsee that no preiudice might thairby enfew to otheris, youre maiesteis subiectis, interprising

the lyke workis outwith the liberteis of the said burgh heirefter, bot with that to strenthen and assist the said burgh, with such laughfull warrandis and auctoritie, as might encourage them to sett fordwart the said worke ; ffor quhilk purpois, we first appointit some of our awne number, and some baronis, gentilmen, and burgeffis of Lotheane and Fyffe, to conveene and meit with the commissiounaris of the said burgh, and to confidder and examine the said signatoure, and the whole headis, clauffis, and articlis of the same, and to confer and reffoun thairvpoun, and in suche pointis as thay could espy ony preiudice, outhir to youre maiestie or the estate, to acquent ws thairwith, and with thair opinionis anent the reformeing of the same. At whilk meeting, the said signatour being verie narroulie and exactlie examined, and some questionis and doubtis being proponned and moued thairanent, and presented to the confideratioun of the counsaill table, and the commissiounaris of the said burgh, being, at verie grite lenthe, and at diuers and findrie dyetis, hard thairvpoun ; in end, after diuers conferenceis and meitingis with thame, we haif cleirlye discuffit all the obiectionis and doubtis proponned againis the said signatour, and, with mature aduise and deliberatioun, we haif causit draw vp ane new signatour, heirwith send vnto youre maiestie, markit on the bak be the clark of youre maiesteis Counsaill, quhairin we haif maid suche prouisionis, limitationis, and restrictionis, for the weele of youre maiesteis subiectis, as, in our opinioun, no claus nor article thairof can with reffoun be impugned. This is a verie worthie and notable worke, and in appeirance the best for the commounweele that for mony yeiris ago hes bene intendit within this kingdome. It hes coist the said burgh a grite deale of money, with suche a willing consent and contributioun of the honest inhabitants, as the lyke hes not bene hard of within the said burgh. Thair is a number of handsome and commodious houffis alreddy biggit for this worke, and some famileis of strangearis els plantit and sett to worke thairin ; and the worke is so substantioullie bakkit and haldin fordwart be the said burgh, that we ar in verie goode hoip that it fall not onlie prove honorable, bot proffitable for the whole cuntrey. And thairfoir, yf youre maiestie salbe pleised to allow of this signatour, and returne the same to ws vnder youre maiesteis hand, we fall caus exped and pas the same ac-

cordinglie. And so, praying God to blisse youre maiestie with mony lang and happie yeiris, we rest

Your Maiesteis most humble and obedient  
subiectis and feruitouris,

AL. CANCELLS.  
MELROS.  
WINTOUN.  
LAUDERDAILL.

WIGTOUNE.  
W. OLIPHANT.  
G. MURRAY.

Edinburgh, 23 August 1620.

To the King his most sacred and excellent  
Maiestie.

CXXVIII.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

THAIR hes beene a verie pitiefull and havie complainte maid vnto ws, on the behalff of George Foullis, maister of your maiesties mynte, Johnne Sinclair, Johnne Trotter, and some otheris, mercheantis of Edinburgh, awnaris of the ship callit the Peragon of Leythe, and in name of the reliēt and bairnis of vmquhile Robert Lewcope, skippair of the said ship, and Williame Huntair, his mate, beareing, that the said ship being fraughted be some marcheantis of Lundone to the Ilandis of Canaryis for wyne; and the ship, by the fauour of God, haueing faulſſie arryved at hir porte, and tane in hir laidning of wyne, as sho wes returning bak thairfra, and vpon hir dew course towardis the citie of Lundone, in the moneth of Marche last, sho wes, by contrarious windis, drevin and putt in the harborie of Realing, in the west of Irland, quhair, being lyand at

ane anker, awaiting the commoditie of the wynd and wedder, Myles Burke, sone to Sir Tibold Burke, Daud Burk M<sup>c</sup>Richard, and Owen Afflutt, verie familiarlie, vnder collour of friendship, frequentid the ship the space of eyght dayis, and reffaued fuche kynd and hairtlie interteynment as the maister of the ship could mak thame, and thay become so familiair with maister and companie of the ship, and intertenyed fuche mutuall dewyteis of kyndnes with thame, that thay thocht thame selffis in a full securitie, without any apprehensioun of feare or dangeir, whilk being perfaved be thir lymmaris, and thay haueing narroulie remarkit the ordour and gouernament of the ship, quhairwith sho wes laidnit, and how sho wes prouidit for defence, and finding all thingis anfuerable to thair wisheis for prosequitioun of thair treacherous and detestable resolutioun, thay, accompanied with Tibot Kellie, alias Duff, Richard Kilduff, Rorye Corme, Phillop and Myles Burke, come all furthe of the said Myles house, and boordit the ship, whereas the maister and his man wer buffie at thair worke; and at thair first entrie in the ship, thay treacherouflic and barbarouflic killed the said Robert Leucope, and William Hunter, his mate, and deadlie woundit the carpentair of the ship, and posselt thame selffis with the ship, and hir whole laidning, and enforced the seruice of the rest of the company of the ship for gouerning of the ship, the space of eyght oulkis, till thay come to Broadhavin, quhair, by the fauour and prouidence of God, thay eschaiped. This being the trewthe of this mater, as we ar informed by the pairtyis greved, we ar moued, vpoun thair humble and eirnist requeist, to gif notice of the same vnto youre maiestie, and, on thair behalf, most humelie to intreate your maiestie to recommend the same to the lord deputie of Irland, with a strait directioun and charge vnto him, to grant summair and fauourable proces and iustice vnto thame, and thair actornayis and procuratouris, in thair names, alswееle aganis the lymmaris thame selffis, as aganis all otheris who hes bene accessorye to thair doingis, in fuche forme and maner as your maiestie hes written in fauouris of the saidis maircheantis of Lundone, sua, that yf ony redres or reparatioun may possiblie be had, that youre maiesteis distrest subiectis of this kingdome may be equalie

respectit and acknowledgeit thairin, and that no prioritie be vsed in the said redres, bot that a commoun and equall consideratioun be had thairin. And so, crauing your maiesteis pardoun for this our presumptioun, and praying God to blisse youre maiestie with the continewance of mony lang and happie yeiris, we rest

Your Maiesteis most humble and obedient,

AL. CANCELL<sup>s</sup>.

MELROS.

WINTOUN.

LAUDERDAILL.

WIGTOUNE.

W. OLIPHANT.

G. MURRAY.

Edinburgh, 23 August 1620.

To the King his most sacred and  
excellent Maiestie.

CCXIX.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

WE reffaued your maiesties lettre, with the articlis fett down and signed by youre maiestie, and aggreit vnto be the erll of Home and the Countesse his moder, on the one pairt, and Johnne Steuart, sone to the laite erll Bothuill, on the other pairt; and accordinglie we haif at diuers and fundrie dyetis, had the pairtyis and thair procuraturis befor ws, and at verie grite lenthe hes hard thame vpoun that subiect, and vpoun all and euerye thing that resulted or could be propouned thairanent, and after lang conference, reasoning, and dispute, how far we might go in

a mater of this kynd be forme and ordour of law, for the fuirtie of bothe pairtyis, it wes in end found, with the consent of bothe procuratoris, that the said Johnne can not be capable in his persone, of ony dispositionis or rights proceding frome the erll or his moder, bot that the same must be conceaved in the fauouris of a thrid persone, fra whome thay must ressaue securitie for thair moneyis. Vpoun whiche pointe we haueing aggreit with the saidis pairtyis and thair procuraturis, as the best and nixt expedient for satling of this buffynes, we haif thairfoir heirwith returnit vnto youre maiestie the saidis articlis, whilkis it will please youre maiestie to cancell and distroy, to the intent, that thairefter we may go on with the pairtyis, and proceed to the finall satling of this buffynes according to the termes now aggreit vpoun. The particularis quhair of being at lenthe comvned vpoun, ar now fullie degeifted and satled. Thair is onlie one pointe contrauerted, whairanent the pairtyis hes referred thamefelffis to youre maiesteis determinatioun; towitt, quhairas the said erll and his predicesfouris hes bene heritable and kyndlie possessors of the landis of Auld Cambmes and Fascastell, haldin of auld of the prioris of Coldinghame, and last of youre maiestie be the act of annexatioun, it is instantlie vrged on the behalf of the erll, that the landis may be reserued and exceptit oute of his dispositioun, and that he may still hald the same of your maiestie, ather blenshe or few, for payment of that same dewitie whilk is contened in his faderis and authouris infestmentis. Johnne Steuart being loathe to quyte his superioritie, is some thing auerse in this pointe; bot quhateuir your maiestie fallbe pleased to decerne thairintill, thay will bothe acquiesce and stand to it. Thair is one other pointe whair of the countesse takis halde, and sofer as we can persave, hardlie will sho be inducit to end this buffynes vnles sho gett some satisfactioun thairanent: To witt, sho challengeis a promeis maid be youre maiestie to hir and hir sone of ij<sup>m</sup> lib. sterling, whairin yf some course can be tane for hir satisfactioun, and youre maiestie haueing declairit youre will and pleasour anent the superioritie of the landis aboue written, all forder contestatioun anent this mater will in oure opinionis cease, and no thing will rest bot the subscryueing of the contract and otheris securityis *hinc inde*, quhilkis we salbe cairfull to see perfyted and outred. This being the effect of oure proceedingis in this buffynes, we humelie present the same to youre maiesteis

confideratioun; and, with oure most eirnist prayers vnto God for youre maiesteis lang and happie reigenn, we rest

Yourre Maiesteis most humble and obedient  
subiectis and feruitouris,

AL. CANCELL<sup>s</sup>.  
MELROS.  
W. OLIPHANT.

Edinburgh, 23 August 1620.

To the King his most sacred and excellent  
Maiestie.

CCXX.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

VPOUN the refett of youre maiesteis lettre of the eyght of this instant, willing ws to be particulair anent the speces of foreyne coyne thocht fitte to haif course heir, with the vtter value of eache peece, and at quhat price thay may pas without losse to the inbringair, or hurte to the subiectis, we conuenit befor ws, as we did the first tyme quhen this mater was proponned vnto ws, the maister and officiaris of youre maiesteis mynte, with some of the maircheantis of Edinburgh best acquaintit with the Franche, Spanishe, Flemis, and Easterlyne tradis, and at lenthe conferrit with thame vpoun that subiect; and haueing tane ane verye narrow and exact tryale of the estate of the coyne in these pairtis, and quhat proportioun thay holde in weyght, price, and fynnes with youre maiesteis awne coyne, and at quhat raite and price thay may pas heir vnder youre maiesties coyne, we find that the Franche crowne and Spanishe pistollett, the rois noble, quart decue and ryallis, jumpis neirest with youre maiesteis coyne, and that the toleratioun of thame to haif course will chieflie worke the effect for whiche



the toleratioun is craved. We haif in this other tickett fett down the value, weyght, and price of thir peeceis, with fuche moderatioun and indifference, as the maircheant, by the importatioun, may expect gayne; and no feare is to be tane of the exportatioun of youre maiesteis coyne vpoun this occasioun, becaus the difference betuix the priceis is so small, and thair is so litle hoip of gayne to aryse by the exportatioun, that the maircheant will not hafaird to offend in that kynd. The regrait of the subiectis for the scairstie of moneyis yitt continewis, and thay ar still humble suitearis that this toleratioun may be grantit; wheranent attending youre maiesteis gracious will and pleasour, and humelie recommending youre maiestie, and all youre princelie affairis, to the protectioun of the Almightye, we rest for ever

Youre Maiesteis most humble and obedient  
subiectis and feruitouris,

AL. CANCELL<sup>s</sup>.  
MELROS.  
WINTOUN.  
G. MURRAY.

ROXBURGHE.  
W. OLIPHANT.  
A. HAY.

Edinburgh, 23 Auguft 1620.

To the King his most sacred and  
excellent Maiestie.

CCXXI.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

WE reffautt youre maiesteis lettre, beareing youre maiesteis desire of a voluntair contributioun to be grantit be youre maiesteis counfaill,

nobilitie, and memberis of fessioun, with the burgh of Edinburgh, for defending of the Pallatinat, being the dowrie of youre maiesteis darrest doghter, and defrayeing of the chargeis of the warre thair; in quhilk poynte, althoght we doubt not bot all honnest hairtit subiectis will kyithe thair goode affectionis, and contribute thair best meanis for the defence of that caus, yitt, inrespect of the few number of youre maiesteis counsaill present this day, not exceiding fevin perfonis, we could resolue vpoun no other course, bot to appoint a meeting of the haille nobilitie and counsaill to be heir vpoun the xxij day of Nouember nixttocome, vnto whome we haif writtin and sent missiues for this effect; at quhilk tyme, we fall sollicite this buffynes, with fuche pregnant reffonis and argumentis, as may best procure youre maiesteis satisfiactioun, and the honnour and credite of this cuntrey. And so, with oure humble and earnest prayeris vnto God for youre maiesteis lang and happie reigenn, we rest

Youre Maiesties most humble and obedient  
subiectis and feruitouris,

AL. CANCELLS.  
MELROS.  
W. OLIPHANT.

G. MURRAY.  
S<sup>r</sup> J. SKENE.

Edinburgh, 25 of October 1620.

To the King his most sacred and excellent  
Maiestie.

CCXXII.—EARL OF MELROS TO KING JAMES VI.

MOST SACRED SOUERANE,

As the counsell, by their first letter, sent efter their receipt of your maiesties, for contribution to the defence of the Palatinat promised, they

wrote for the whole nobilitie and counsellours to this day, who being all come to towne except some few who have sent excuses of sicknesse and other necessar impediments, with declaration that they shall performe for their partes what shall be concluded by the rest: The meeting for the businesse hes this day beene delayed, by occasion of opposition of some Earles, created by your maiestie, since the Earle of Niddisdails father was honored by your maiestie with that dignitie, acclameing place before this Earle, which being signified to the counsell, they, for preventing of furdur contention amongs the parties, called them, and having signified to such as opposed, that your maiesties letter to my Lord Chancelar, and the tenour of the Earle of Niddisdails patent, conteined the true and iust reafons of your maiesties direction, the parties alledged, that all that wes done, they not being hard to propone their interest, being assured that your maiestie did not intend thereby to preiudge them of the places wherewith your maiestie had honored them or their predeceffours; alledgeing also, that efter the Earle of Angus his restitution, the Earle of Niddisdails father had not possessed that dignitie, and that his elder brother had sittin and voted in parlement amongs the Lords. The Earle of Niddisdaille answered, that his father, in all his lyfe, had still menteaned the place and dignitie of ane earle, and that the neglect of his brother could not preiudge him, being aire to his father, and having his right strengthened by your maiesties iust declaration. They opposed to him the decreit of ranking the noblemen, which assigned place to the Earle of Niddisdails brother, as Lord Maxuell, amongs the Lords; but that decreit wes gevin aganis him not compeirand. Alwayes the instance of the parties, and requisition that the place which they had long possessed should not be taken from them, whill their right wer decyded by the Judge ordinar, moued the counsell to direct some to deale with them to conforme themselves to the counsels aduyce, with declaration that it should be without preiudice of their rights before the ordinar Judge. The opponents refused to consent, but the Earle of Niddisdaill offered to do what the counsell would command, if they would testifie to your maiestie, by their letter, that he had done it for obedience to them, and for eschewing the hinderance of your maiesties seruice, which they, being vnwilling to vndertake, he, for the same respect of desire to remoue all occasion of

disturbance of your maiesties seruice, yeelded to accept of such a place a part as the counsell fould assigne to him, whereby he fould neither take place at this time before his opposites, nor accept of a place that might import a preiudiciall testimonie of his yeelding to a place inferiour to any of them. So by his discretion the present contention is declined, whill your maiesties knowne will, fall prescriue a cleir expedient in their controuerfie.

Some thing hes beene talked of the Earle of Angus his intention to crave vote before the Marquis of Huntlie, from which we haue preassed by freindlie aduyce to divert him. If he persist, such order will be taken as may likewise fettle that distraction, that we may proceed in the dutifull performance of your maiesties direction. If the multitude of the nobilitie, whoes opinions and votes must be hard, force ws to spend large time, I will humblie beg your maiesties patience and pardon for my delay to wryte till the mater be broght to a conclusion.

The patents for the Vicountes are commanded to be speedelie exped, and fall be sent with diligence with God grace, whom I beseech long to preferue and bleffe your maiestie with all prosperitie and contentment. Edinburgh, 23 Nouember [1620?]

Your most sacred Maiesties most humble, faithfull,  
and bund seruant and subiect,

MELROS.

CCXXIII.—THE EARL OF MELROS TO KING JAMES VI.

MOST SACRED SOUERANE,

MY letter of the 23 declared the occasion which made that day to be vnprofitable spent. The comon letter sent herewith to your maiestie by the prelates, nobilitie, and counsell now in towne, will signifie

the generall willingnes of them all to heartelie obey and reallie performe your maiesties commandement. Thir lynes ar to beg your maiesties pardon for a more particular relation of some of the circumstances in the progresse of the businesse. The whole number met vpon the 24, and, after reading of your maiesties letter twyse or thryse, my lord Chancellor, wifelie and eloquentlie acknowledged, that no man wes either able to adduce so good reasons as your maiesties letter conteaned, or by copious speech to make them more sensible, but who euer fould presume to illustrate them, might, like an obscure glosse, wrong an excellent text. And efter relation of the common duties which oblige subiects to their princes, remembring many singular fauors, whereby your maiesties most vertuous and iust gouernement, and infinit benefites, had more strietlie bund this estate in generall, and eurie nobleman in particular, he rehearsed notable exemples of timelie and frie supplies giuen by princes and estates to their distressed confederats, with speciall remarque of the noble and kynd dutie performed by Hieron, king of Sicile, to the Romans, efter their ruinous ouerthrow in the battell of Trasimenum, recorded by Liuie. He concluded with an earnest exhortation to all men to schew, in this iust querrell, their liberalitie, which he defined to be a good deid proceeding from a frie mind. He wes seconded by my lord of Santandrois, who, adding reasons of coniunction in religion and comon perrell both to our liues and consciences, declared, that he resolued not to propone any argument for the iustice and necessitie of the desired supplie, which he knew no man either in heart, wound, or deid, would deny, but thought it most expedient to aduyse vpon the meanes, how it might be most speedelie and profitablie yeilded, since the scarcitie of moneyes in the cuntrie would be the greatest impediment to the best mindes, and therefore wished to aduyse how moneyes might be had, either by highting the pryce both of your maiesties coyne and foreyne spesces, or any other good and expedient meane. The bischop of Aberdene told, that manie of the nobilitie wer absent, and none of the prelates present but my lord of Santandrois and him self, none of the rest being sent for bot my lord of Glasgou, who wes tied to his bed by seeknes, and the bischop of Ros, who being in his diocie, had not timelie warning; which respect, and the absence of so manie of the

nobilitie, vpon whom those that wer present had no power to impose anie burding, made him to think that your maiesties intent might be better satisfied by parliament, where order might be giuen that euerie man might be taxed *capitativ*. But he wished he had been so happie as to haue knowne, whether your maiestie intended that this cuntrie shoulde yeeld a yeerlie contribution, so long as the warres continued, or, that a contribution being at this time largelie giuen, shoulde releue the people of further burding, to the effect the quantitie might be proportioned to your maiesties intention. The earles of Mar, Erroll, Montrois, Roxburgh, Tullibardin, Wigton, the lords Scone, Carnegie, and others, who wer required to speake, appeired all to contend who shoulde expresse greatest willingnes to satisfie your maiesties desire, which, they acknowledged to be not onlie expedient and iust, but most necessar. My lord Chancelars command forced me to speake, when I could hardlie find what to say, that had not beene already better expressed by others, yet for obedience, and to eschew repetition, I onlie preassed to refute an obiection made, not by anie of the nobilitie, but come to my eares by report of speeches vttered by the ignorant vulgar, or euill affected persons: That thir warres of Germanie did not concerne this nation, onlie accustomed to serue personallie for defense of their native cuntrie, and when euer they gaue aide to any forein confederat, it wes onlie by furneissing men, vpon the charges and pay of those who fought our assistance, and not by money, wherof we had in all bipast ages beene vnfurnished, and neuer more nor at this present, which I affirmed to be a grosse and popular errour, since no preceeding occasion wes comparable to this, requyring the necessar defence of the patrimonie of your maiesties children: wise men in all well gouerned estates having euer esteemed that the children of their kings wer the pillars, bulwarks, and fortresses of their estate, and iewels of the kingdome, so precious and inestimable, that, owt of desire to haue that blessing, the subiects had many times importuned, and almost forced, their vnwilling or delaying kings to marie. That Tibere, one of the wisest emperours that euer wes, said to the senat, that the reason of his adopting Drusus and Germanicus, wes, *vt pluribus munitis niteretur*. That Titus, the most gentle and vertuous of all the emperours, had said to his father Vespasian, *neque exercitus nec classes*

*tam firma esse Imperii munimenta, quam liberos principis.* That Herodian recorded that the Romans, who presumed als freele of old to make gods, as the popes had fenfyne vsurped to make fantes, did not deifie any of their emperours, but such as left children to succede to the empire. That Christian emperours, had, with consent of their nobilitie, and of their prelates, when the church wes verie neer the first and greatest puritie, repudiated their wyues onlie because they wer barren, alledging, for example, Charlemaine, who wes the godliest and greatest of the Christian emperours. That since, France pretended their Salik law to exclude the doghters of their kings from succeeding to the crowne. Lewes the Sevint had repudiated his first Queene, being heire of Aquitanie, because scho had only doghters, that he might marie another with better hope of male children. I abstained from more exemples, albeit many wer recorded in the histories, thinking such as wer already alledged, sufficient to proue, the children of princes to be the greatest and best part of the estate, and that the queen of Boheme, (whoes vertues wer so vniuersallie honored and admired, as scho had extorted the confession therof from the verie ennemies of hir husband) had brought such strength and happines to your maiestie and your subiects, by the multitude of hir most hopefull children, that they might be thought traitours to both, that shold pretend the warre moued for the ruine of their patrimonie, not to be a querrell, als proper and important to your maiesties subiects, as if it wer raised in the verie bowels of this kingdome. And therefore, coming to the next obiection of our scarcetie of money, I affirmed that it wes sufficientlie answered by your maiesties gracious declaration in your letter, that ye knew that moneyes wer scarce, but that litle would be graciously accepted, and would help to do a good turne. That the best expedient wes, that the nobilitie shold schew the way, and giue exemple to the inferiour estates. That in the distresse of Rome, when the impouerished people, recharged with redoubled contributions, wer ready to mutine, the Consul Leuinus aduised the senatours, who, from the verie fundation of that estate, had bene exempted from all taxations, to renunce their priuilege, and contribute all that they could thereby, to encourage the people to follow their example, which, being embraced, did stirre so vertuous

emulation in men of all qualities, that their liberalitie wes so speedelie and abundantlie brought in, *vt neque triumphari accipiendo, nec scribæ referendo, sufficere valerent.* That in the ciuill warres of France, the reitres armie come to assist the Protestants vpon promise of pay; being frustrat therof, began a desperat tumult, tending to the apparent ouerthrow of the Protestants cause, which the principals of the French armie being vnable to prevent by any other meane, resolued vpon a voluntarie contribution, which wes vndelaiedlie performed, not onlie by the nobilitie and gentlemen who had some meanes, but also by the comon fouldiours, who had more reason to craue their owne pay, nor to contribute to that of others, yea the verie goniatz exhibited all that litle which wes in their purses, to satisfie the strengers. That the Persians wer obliged, by a receiued custume, to offer presents to their kings where ever they rencontred them. And Artaxerxes, one day, coming vnexpectedlie to a place where a poore rustik casuallie met him, the perplexed subiects miserie affording no thing to offer his prince, he ranne suddanlie to the neereſt riuer, where, taking some of the cleir water in the luffes of his hands, he presented it to that great monarche, who, respecting the well affected heart placed in that poor breast, did so graciouſlie accept of his offer, as he commanded the water to be put in a phiole of gold, and to be placed and carefullie kept amongst the most pretious jewels of his infinit treasor. That I had red of old that the Massilians (if I be not mistaken of the peoples name) being so ruined by their enemies in a nauale fight, as the most part of their schips wer either sunk or taken, and the few that escaped wer so torne and disarmed, as wanting cabils, tows, and all sort of cordages and necessar furnitour, they wer altogether vnfit for seruice, and the estate so poore and destitute, both of meanes and forein aide, as their case wes counted desperat, their matrones and maides, who weare long haire as an ornament and badge of their chastetie, with comon resolution, did cut all their haire and bring it to the publik storehouse, their to serue for making tows, cabils, and other necessars of the nauie, whereof did chiefly result the restauration of their ruined cuntrie, and immortall renome to their wemen as principall instruments therof. These examples, I thought sufficient both to incourage and direct vs, to supplie the weakenesse of our meanes, by the alacritie of our readie and



spedie contribution, and that no man could either refuse or delay his vttermoſt beneuolence, but he that was deſtitute of ſincere affection. That meeting ended in a choiſe of a number of noblemen, prelates, and other counſellours, appointed to conueene vpon the 25, in the forenone, to aduylſe vpon the beſt meanes to performe reallie what was intended by all for your maieſteis beſt ſatiſſaction. Vpon the 25, a ſignification of the earle of Angus intention to craue vote before the marquis of Huntlie did interrupt the effect of that dyet. But, conueening in the afternone, the earle of Angus yeelded, onlie making a modeſt proteſtation, that it ſould not preiudge his right in time coming. Therefter my lord Chancelar recommended ſeriouſlie to all the aſſembly that they would heartelie concurre in the propoſition of the particular meanes that might beſt bring your maieſties deſire to good effect, agreeable to their vniforme intention; and willing my Lord of Santandrois firſt to ſpeak, he renewed his former perſuaſions to procede reallie and ſincerelie in the buſineſſe, ſpeciallie in foreſeing ſome courſe, how moneyes might be had in greater quantitie, the want wherof was the greateſt, or reither the onelie latte, to the preſent execution of our faithfull reſolutions; adding, that albeit thoſe who wer preſent ſould extend and exceed their vttermoſt abilitie, the ſowme would not be wourthie to be offered to your maieſtie, and could import no thing but a diſcouerie of our pouertie, and therefore thought it more convenient that the burding ſould be impoſed vpon the whole ſubiects by taxation. The earles of Morton, Erroll, Montrois, and all the reſt who wer deſired to ſpeake, wer of that ſame opinion, and ſchew that many privat men wer more able by their wealth to contribute, nor ſome of the greateſt qualitie, and therefore deſired that ſome courſe might be taken to charge them with a burding anſuerable to their ſubſtance. The biſhop of Aberdene ſeemed to feare, that, the ouuerture not tending to a preſent ſatiſſaction, might be diſpleaſing to your maieſtie. When I was commanded, I gave my opinion, that, ſince the cumpanie inclined to an impoſition vpon the eſtates, it could not well be done but by parlement, no other iudicatur having power to impoſe any vnvſuall formes of contribution, or to infringe the immunities of priuiledged perſons, or to force thoſe, who, by their anvelrents, had ſureſt, eaſieſt, and greateſt wealth, to contribute. But if the emperour Niger

had, in time of no great necessitie, imponed tribute vpon his people, *non tantum ratione soli, sed etiam ratione cæli*, your maiestie, for this iust and most important cause, might lafullie taxe those who inioy *solum et cælum* in your dominions, with peace, safetie, and wealth, vnder your maiesties iust and royall protection.

For the delay of time, I thought the course by parlement speedier nor the other, since a voluntar contribution requyred particular mens employments in eurie remotest schire of the kingdome, and dealing with evrie single person of whom ought wes to be craved, who being bund to no other rewle, but that of their owne will, many who might do best being so niggardlie, and their knowledge of their dutie could not moderat their auarice, no thing wes to be hoped of them, but either refusall or grant of vnwourthie sowmes to long dayes, which, brought in, in small parcels, could neither promise good nor speedie effect. Whervpon the mater being put to voting, all in one voice thought a parlement the onlie best way to satiffy your maiesties intention. If your maiestie dislyke not this expedient, vpon signification of your royall pleasour, all will be diligentlie profecuted according to direction; and if your maiestie prescriue any other course, all men appeir disposed to manifeste their zeale to obey whatever fall proceed from your royall wisdom. So, beseeching God long to preserve your maiestie to direct and protect ws, and to multiplie his wounted blissings vpon your maiestie and your royall posteritie, I rest

Your most sacred Maiesties most humble, faithfull,  
and bund seruant and subiect,

MELROS.

Edinburgh, 27 Nouemb. [1620?]

To the Kings most sacred Maiestie.

## CCXXIV.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

ACCORDING to youre maieſteis directioun, we caufit charge the lord of Scoone, and Patrik Pitcairne of Pitlour, to compeir befor youre maieſteis counſaill, this preſent laſt day of Nouember, ffor cleiring of that complainte and informatioun maid to youre maieſtie, on the behalff of the ſaid Patrik aganis the ſaid lord of Scoone, towcheing certane oppreſſionis and wrongis, alledgeit committit be the ſaid lord aganis him, and ſpecifeit in the petitioun gevin in to youre maieſtie thairanent. For obedience of this charge, bothe the pairtyis compeirit befor ws, and the ſaid lord, verie instantlie and eirniſflie, vrgeit his tryall vpoun theſe pointis contenit in the ſaid petitioun; and accordinglye, we layed to the ſaid Patrik his charge, yf he had maid ony fuche complaynte, vpoun quhat ground and warrand he had done the ſame, and quhat verificatioun he had for proueing thairof. He excuſit him ſelff, that he had no purpois nor intentioun directlie to haif made ony fuche complaint to youre maieſtie, and that he had givin no warrand nor directioun to that effect; bot that, vpoun occaſioun of ſome greevis, quhilkis, he had aganis the ſaid lord, he, in the moneth of Junij laſt, write vp to ſome of his freindis at courte to haif beggit ane lettre of recommendatioun frome your maieſtie to your aduocat, to haif tane ſome panes for ſatling of all materis questionable betuix the ſaid lord and him freindlie, and failyeeing thairof, to haif aſſiſtit him in his juſt and laughfull cauſs, and that this wes all that he did, without ony purpois or intentioun to haif complenit; and howeuer the petitioun wes drawne vp in other termes, he could not anſuer for it, becaus he had not gevin informatioun thairto, nor never ſaw the ſame. This excuſe being maid in the ſaid lord his audience, he notwithstanding ſtill inſiſted to haif bene tryed; bot ſeeing the other fled the tryall, and denyit the complainte, in maner foirſaid, we could proceid

no forder thairintill, bot to gif notice to your maiestie of the excuse; whilk in all humilitie remitting to your maiesteis confideratioun, and praying God to blisse your maiestie with mony lang and happie yeiris, we rest

Youre Maieftis most humble and obedient  
subiectis and feruitouris,

AL. CANCELL<sup>r</sup>.  
J. ERSKYNE.  
R. COKBURNE.  
G. MURRAY.

MELROS.  
GEORGE HAY.  
LAUDERDAILL.

Edinburgh, the last of Nouember 1620.

To the King his most sacred and  
excellent Maieftie.

CCXXV.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

WHEREAS youre maiestie wes pleasit, in the sax hundreth and ten yeir of God, vpoun the humble suite of the lord Elphinstoun, to honnour that familie, quhairof, vnder youre maiestie, he is cheiff, with ane approbatioun of thair genealogie, and with ane attestatioun, that one Peter Elphinstoun (who and his prediceffouris hes leved thir mony yeiris bigane in the kingdome of France in the qualitie of gentilmen), is lineallie and lauchfullie descendit frome his hause, as youre maiesteis patent, grantit thair-upon vnder youre grite seale, bearis. This patent wes thairefter acknowledgeit, with all dew respect, in the fouerane courtis of France, and the gentleman accordinglie establisht in the hereditarie possessioun of his digniteis, whilkis he hes peceablie inioyed till of laite, that some perfonis,

inveyeing the gentlemanis estate and conditioun, hes begvn not onlie to questioun the qualitie of his pedigree, bot with that, thay haif iuditiallie challengeit youre maiesties approbatioun and attestatioun grantit thair-upoun, as testifeing a supposed trewthe, and as purchest surreptitiouſlie frome youre maiestie; and vpoun this pretext they intend to wrong the gentleman, and to bring youre maieſteis royall attestatioun, whiche is aboue all exceptioun, in questioun. Quhilk being a mater of speciall animadverſioun, and toucheing youre maieſtie verie neir in honnour and credite, yf youre royall ſeale ſhall thus way be broght in questioun, we haif prefoomed to gif notice of the ſame vnto youre maieſtie, and, in all humilitie, to requeiſt youre maieſtie to write to youre ambaffadour reſident at Pareis, to attend this buſſynes, and to compleane of the wrong done vnto youre maieſtie by medling with the ſacred auſtoritie of youre maieſteis ſeallis; and for th[is] that he not onlie inſiſt with the Franſhe king and his counſaill, to procure frome thame ane prohibitioun to the iudgeis of the courte of aidis, befor whome the gentilmanis proces is preſentlie agitāt, to forbear all forder medling in that mater, or quarrelling with the auſtoritie of youre maieſteis ſeale, whilk, after dew tryale and cognitioun tane in the cauſ, wes trewlie, and of youre maieſteis certane knoulege, grantit, bot with that, that thay, nor no other iudgeis within the ſaid kingdome, prefoome to meddle in a mater of this qualitie heirefter. And ſo, praying the Almighty God to bliſſe youre maieſtie with mony lang and happie yeiris, we reſt

Youre Maieſteis moſt humble and obedient  
ſubieſtis and ſeruitouris,

AL. CANCELL<sup>r</sup>.  
MELROS.  
G. MURRAY.

A. MAR.  
GEORGE HAY.  
R. COKBURNE.

Edinburgh, 14 December 1620.

To the King his moſt ſacred and  
excellent Maieſtie.

## CCXXVI.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

HAUEING, according to youre maiesteis directioun, of the nynt of Marche last, verie cairfullie perused that signatour of the burgh of Edinburgh, send down be youre maiestie to ws, anent the new worke of making of cloathis and stuffis, intendit and begvn within the said burgh; and haueing, after diuers and findrie meetingis and conferenceis with the magistratis of the said burgh, discusst all the obiectionis and doubtis that wer proponned aganis the said signatour; in end, after mature aduise and deliberatioun, we causit forme and draw vp a new signatour, with fuche prouisionis, limitationis, and restrictionis, as we thocht meete for the weele of the cuntrey, and that nane of youre maiesteis subiectis fould be preiudgeit or excludit frome intending the lyke workis in other conuenient placeis outwith the liberties of the said burgh. Quhilk signatour, markit op the bak be the clerk of youre maiesteis counsell, we fend vp to youre maiestie in the moneth of August last, with oure lettre, beareing the forme of oure proceeding in that buffynes, and quhat goode hoipis we had that this worke wald proue profitable and honnourable to the cuntrey. Bot the importance of youre maiesteis more weyghtie and princelie affairis interven[ing] in this meantyme, haueing withhaldin youre maiestie frome thinking vpoun that mater, and frome returning vnto ws youre maiesteis opinioun concerning the said signatour; and quhairas now the advancement and perfectioun of that worke, whilk youre maiestie hes so eirnistie affectit thir mony yeiris bigane, dependis wholie vpoun that signatour, we wilbe bauld, in all humilitie, to requeist youre maiestie outhir to retorne the same vnder youre maiesteis hand, or then to latt ws kno[we] quhat defectis youre maiestie hes fund in the same, that, after consideratioun thairof, we may caus rectifie the same accordinglie. This worke hes bene verie chairgea[ble] to the said burgh, and thay haif maid grite preparatioun of buildingis, and all otheris thingis necessair for advance-

ment of the fame; and yf now the progres thair of falbe interrupted or hinderit, thair is no appeirance that ever the said burgh will fett it afute agane, bot that it will altogidder perishe, without ony hoip to be restoirit or fett vp agane; whilk remitting to youre maiesteis most iuditious consideration, and humelie praying God to blisse youre maiestie with mony lang and happie yeiris, we rest

Your Maiesteis most humble and obedient  
subiectis and feruitouris,

AL. CANCELL<sup>r</sup>.

WINTOUN.

CARNEGIE.

MELROS.

LAUDERDAILL.

KILSAYTH.

J. ERSKYNE.

R. COKBURNE.

G. MURRAY.

W. OLIPHANT.

LOTHIANE.

GEORGE HAY.

Edinburgh, 14 December 1620.

To the King his most sacred and  
excellent Maiestie.

CCXXVII.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

YOUR Maiesteis lettre of the xij of this instant, by the quhilk, youre maiestie of new recommendit to youre counsell, the vrgeing of youre maiesteis first directioun and demand, of a voluntair contributioun frome youre nobilitie and counsell, for defence of the Pallatinat, come heir the nyneteene at night, and wes presentit this day to youre maiesteis counsell, of whome nane wer present bot the erll of Mar and laird of Marchinstoun, with youre maiesties ordinair officiaris, and these of the fessioun whose placeis astrictis thame to a daylie and ordinair attendance; the haill remanent of the counsell, in respect of the approtcheing vacans, haueing, after

the dissolueing of the laite conuentioun of the nobilitie, reteirit home. Your maiesteis lettre being red, and with mature and dew aduise considerit, we aggreit that, with all conuenient diligence, youre maiesteis hail counsaill and nobilitie shold be broght heir agane, and we haif appointit thair meeting, and hes writtin missives vnto thame to be heir in this toun vpoun the xxij and xxv dayis of Januair nixttocome, to witt, the counsellouris vpoun the xxij daye, and the nobilitie vpoun the xxv; at quhilk meeting all goode meanes and perswasionis shalbe vsed quhilkis may induce first youre maiesteis counsell to begin, and then the nobilitie to follow, and to gif youre maiestie the best and most effectuell satisfiactioun that possiblie we may procure. And so, praying God to blisse youre maiestie with mony lang and happie yeiris, we rest

Your Maiesteis most humble and obedient  
subiectis and seruitouris,

AL. CANCELLS.  
MELROS.  
GEORGE HAY.  
A. MAR.

LAUDERDAILL.  
R. COKBURNE.  
CARNEGIE.  
J. ERSKYNE.

Edinburgh, the 21 day of December 1620.

To the King his most sacred and  
excellent Maiestie.

CCXXVIII.—EARL OF MELROS TO KING JAMES VI.

MOST SACRED SOUERANE,

I HAUE, for obedience of your maiesties commandement, writin to all the noblemen who pretend interest of opposition to the Earle of



Niddifdails precedence, to be before the Counsell the ellevint of Januar, that I may there declare to them the true and iust causes of your maiesties resolution, to haue them to forbear farther contestation in that mater.

I haue also schowne to the Earle of Angus your maiesties pleafour in the controuerfie betuix the Marquis of Huntlie and him ; who answered, that he wes confident of the iustice of your maiesties vnpartiall intentions to both parties in that question, and that his clame wes not for precedence of rank before the marquis, wherin he wes to cede to the marquis, but that the first vote in parlement and publik conventions being granted by your maiestie and your royall progenitours to him and his predeceffours, not as first earles, but by particular prerogative and privilege, by autentik infeftments vnder the great seale of the kingdome, he hoped your maiestie would be gratiouflic pleased to allow him to inioy the benefite therof. I desired him to fet downe in writ the grounds of his pretensions to be offered to your maiestie by some of his freindis at Court, vpon sight and due confideration wherof he might expect your maiesties iust determination of the busines, which he hes promised to do.

I deliuered your maiesties letter to the Prouest of Edinburgh, who imparted it to the counsell of the towne, and they haue promised according to their bund dutie to obey. I haue also sent your maiesties other letter to the Archibifchop of Santandrois, who will vndoutedlie proceed as he is commanded.

Your maiesties letter for the contribution being red to a verie vnfrequent counsell, their answer to your maiestie will schow, that they ar speedelie to write for all that ar of your maiesties counsell in this kingdome, to conueene heir the 23, and the rest of the nobilitie to keep the 25 of Januar. If any perswasion could haue produced good hope of successe for a competent contribution, it had beene granted at the last meeting ; but it is still feared heir that difficulties fall be found in that proiect, and your maiesties last letter declares your maiesties opinion, that the delay of the supplie, whill it maybe broght in by taxation to be granted by parlement, may be so flow, as in effect it may proue both vntimelie and vnprofitable. For remedie wherof, my humble opinion is, that if the sowe can be ob-

t aned in parlement correspondent to the iustice and necessitie of the most important affaires for which it is craved, either the bourrowes, who ar the onlie men that hes money in this kingdome, may be dealt with to aduance the fowme, deducing to them the anvelrent proportionable to their aduancement before the terme of the taxation, or some particular men may be dealt with to aduance the money, with allowance for the anvelrent, and assurance that the escheates and lifrents of those who fall go to the horne for vntimelie payment, fall be freelie disponed to them. God is my witnes, that this motion proceedis of the true desire I haue to fie the substance of your maiesties intention most really satisfied, and not being imparted by me to anie creature leiving, can do no harme, if your maiestie judge it vnwourthie to be published. And what ever course fall seeme best to your maiesties incomparable wisdome, none of your best affected seruants, how far foeuer they exceed me in meanes of persuation, fall surpasse the loyaltie of the indeuours of my bodie and mind to procure the best effects of your royall desires theirin. So, prayeing God to prosper your maiesties interprises, and preferue your health and sacred persone and posteritie in all prosperitie als manie happie yeeres and ages as humane condicion can admit, I rest

Your most sacred Maiesties most humble and  
faithfull seruant and subiect,

MELROS.

Edinburgh, 22 Dec. [1620?]

[To the Kings most sacred Maiestie.]

## CCXXIX.—EARL OF MELROS TO KING JAMES VI.

MOST SACRED SOUERANE,

THE nobilitie and counsell being conueened in this towne, as they wer appointed, vpon the 25 of this moneth, they spent that day and the nixt, in deliberation vpon the best meanes to giue humble and effectual satisfackion to your maiestie, in your desire of their supplie to the defense of the Palitinat, the natiue patrimonie of your maiesties grand children, and finding findrie things necessarie to be proponed to your royall consideration, which they thought could not so conuenientlie be represented by letter, as by more ample relation of one of their number, the Archbischop of Santandrois being verie instantlie requested by them all to vndertake that charge, which he could not well decline, hes resolved not to loofe any time, but hes alreadie begun his journey towards court, least delay might haue procured your maiesties offense, and hinderance to that important and most necessarie businesse, which all good subiects do zealouflie affect. No thing will hinder the haste of his passage, vnles the extremitie of euill weather, or seeknesse, disable him to end it so speedelie as he earnestlie intends. If your maiestie be graciouflie pleased to suspend your resolution till his coming to court, your maiestie may be assured that he will either propone the meanes which your maiestie will approuue, or, if any other course be vnalterable determined by your maiestie, at his returne, your maiesties pleasour being signified to the nobilitie and counsell, I verelie hope it shall be obeyed to the vttermost of their abilities, which I humbly remit to your gracious consideration. And earnestlie praying God long to preferue your maiesties life, health,

and prosperitie, which assure the accomplishment of all the wishes of your  
 subiects for their persite wealth and peace, I rest

Your most sacred Maiesties most humble, faithfull,  
 and euir bund seruant and subiect,

MELROS.

Edinburgh, 29 Januar [1621?]

CCXXX.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

VPOUN knowledge of youre maiesteis will and pleafour, for con-  
 uening of the esteatis of the kingdome in parliament, and after dew con-  
 sideratioun had of the convenience of the tyme, alfweele, for the weele  
 and ease of the subiectis, as for the more solemne and frequent meeting  
 of the esteatis, we haif maid choise of the first of Junij now approtching,  
 and causit proclame the parliament to that day. The reffonis for the  
 choise of this dyet, being groundit vpoun fuche respectis, as we could not  
 goodelie prevent that day, becaus the ordour of the parliament not onlie  
 requiris a laughfull intimatioun at the mercatt croce of Edinburgh, and  
 otheris placeis neidfull, vpoun fourtie dayis wairning, bot lykewayes pre-  
 ceptis frome youre maiesties chancellarie, and missiues frome youre  
 counsell to the haill esteatis, must be directit and delyuerit; the dispatche  
 quhairof will require lairge tyme. And nixt, numberis of youre maiesteis  
 subiectis, especiallie the nobilitie and baronis, ar vnder so grite burdyne  
 of debt to be payit at the approtcheing terme of Witfsonday, the outred  
 quhairof importis thame verie neirlie in thair credite and standing, as  
 nouthir may thay neglekt nor slip that terme, nor can thay convenientlie  
 keepe ane other dyet afoir the same aboute the end of Aprile, becaus that  
 wald draw a double trouble vpoun thame, and mak thame subiect to tua

dyetis, quhairby it wes to be feared, that mony forced by the necessitie of thair hard esteatis, wald choofe rather to haif incurred the danger of the vnlaw of parliament, nor to neglect the terme. And forder, the subiect quhairin the esteatis ar to gif vnto youre maiestie satisfactioun is alreddy so weele knowne vnto thame, that, in oure opinionis, the terme of Martymes nixt, falbe designit for that purpois, quhilk may als conuenientlie be done in Junij, as yf the parliament had bene foner indicted, sua that the precipitacioun of the dyet of the parliament, could nowayes forder nor advance the earand, bot procure trouble and vexatioun to the subiectis: the confideratioun quhairof moued ws to mak choife of this day as the most fitte and proper tyme, being after the terme quhen euery manis buffynes wilbe dispatcheit, and quhen the esteatis may at laifer attend. And we humelie beseeche your maiestie, to vouchsaif youre gracious allowance and approbatioun to this oure resolutioun for the dyet of the parliament, quhairin we had no other respect bot to procure vnto your maiestie all wished contentment, with als litle trouble to the subiectis as possiblie may be; and so, praying the Almighty God to watche ouer youre sacred persone, and to grant vnto youre maiestie mony lang and happie yeiris, we rest

Your Maiesteis most humble and obedient  
subiectis and seruitouris,

AL. CANCELL<sup>s</sup>.  
A. MAR.  
WINTOUN.  
MELROS.  
LAUDERDAILL.

J. ERSKINE.  
W. OLIPHANT.  
G. MURRAY.  
R. COKBURNE.

Edinburgh, octauo Martij 1621.

To the King his most sacred and  
excellent Maiestie.

## CCXXXI.—EARL OF MELROS TO KING JAMES VI.

MOST SACRED SOUERANE,

THE Lords Chancelar, Thesaurar, and I, according to the commandment of your maiesties letter to ws, met with the Lord Archbischof of Santandrois, and aduised vpon the maters mentioned in the letter, and others related by him to ws, by your maiesties direction, and agried in vniforme opinion, that we could no way presume to nominat a commissioner to your maiestie, your owne experience and knowledge of the noble mens sufficiencie and disposition, and your incomparable wisdome, being onlie able to make the fittest choice. So that we can meddle no farder in that point, but humblie to pray your maiestie to confider that the person to be trusted with that weightie charge, must, in the honorable exercise therof, be forced to be at great expences, and so will need some releif from your royall bontie.

Anent the fowme of the contribution, we could proceed no further, but to conclude that we must all studie to extend it, to the greatest quantitie, that the cuntrie can beare, and for that pourpose, to prepare all with whom we can haue opportunitie to confer, before the parlement, to yeeld to the hieft rate, and to persuaide others to do the like, and to foresie the best reasons and meanes that may induce eurie estate to a verie large contribution, according to our assured good hopes. We reasoned vpon the forme of the imposition, and of the maner of payment therof, not forgetting the large help which may be exacted of the welthier sort, which heretofore haue been frie of all taxations, they neither being churchmen, landedmen, nor burgeffes; neither could it be well seen how they might be broght vnder the necessitie of contribution. For remouing this dowl, I proponed that the ordinar taxation being granted in large quantitie, might be imposed vpon the estates in the accustomed maner, and an act of parlement obtained, ordaning, that the wealthie anvelrentars shold contri-

bute to the supplie of your maiesties most important and necessarie present affaires, for which effect commiſſion ſould be giuen to a ſeleſted nomber, to call and taxe them to a reaſonable proportion of ſubſidie, according to their ſtock and rent, and to ſummond them by open proclamation to compeir at a certane day, to giue vp a true declaration of the ſowmes, for which they receiued anvelrent, by infeſtment, band, or other ſecuritie whatſoeuer, and if need wer, vpon deniall to put them o oath, or to proue aganis them by writ ; with certification, that all the ſowmes concealed by them ſould be conſiſcat to your maieſtie, wheneuer they ſould be diſcouered, and if the dettour would dilate them, he ſould be frie of the thrid of his debt for his panes, he payand to your maieſtie the two part thair-of, which the lords conſented to ; and if this courſe receiue your maieſties approbation, it ſall be proponed and carefullie preſented.

It wes thoght be ws, that your maieſties diſcharge of bypaſt contrauentions of the penall ſtatutes, will greatlie encourage the people, now ſtanding in feare of vexation, by reports of ſome mens intentions to beg warrands to trouble the ſubieſts by ſuch perſutes, to grant the more willinglie to a large taxation, and that much more may be expected if it ſall be allowed to come in at ſindrie termes, nor if it ſall be preaſſed to be payed all at one dyet.

My Lord of Santandrois tolde me, that your maieſtie had directed him to command me to ſend vp a warrand for appointing a commiſſioner, which I ſent heirwith ; and that I ſould alſo ſend the frame of a letter to be directed to the eſtates, which I haue likewayes obeyed, but with juſt feare that the prolixitie may offend your maieſtie, and that more ſall be found in it to deleet or alter, nor to be allowed. But I ſtill hope that your maieſties accuſtomed grace and bontie to me ſall procure my faithfull obedience to be accepted for ſacrifice ; and thank God that I haue a royall maiſter, excellent aboue all others, in well doing, ſpeaking and writing, to pardon, couer and amend my defects ; and as in France their king is compted the firſt ſecretarie of eſtate, and hes aſſigned to him (as they terme it) la premiere bourſe of their ſies, ſo I am aſſured, that when all the beſt ſecretaries of the world ſall be conueened, they will be found inferiour to your maieſtie in the ſkill of their owne profeſſion, and I being

one of the most incapable, must regrave and excuse my errors with the misfortune of wanting the happiness of your majesties particular directions, and still have recourse to your majesties gracious and benigne construction, which, with innumerable other benefites and favours, shall make me incessantly to beseech God to continue his blessings to your majesties subjects by your long and happy life, and ever to comfort and strengthen your royal mynd with the prosperous success of your princely enterprises, and accomplishment of your desires. Edinburgh, 29 Merch [1621 ?]

Your Majesties most humble, faithful, and  
eternally bound servant,

MELROS.

To the Kings most sacred Maiestie.

CCXXXII.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOVERAINE,

THE comptis of your maiesties thesaurarie and comptrollarie being lately maid in your maiesties exchequer, and verie narrowly examined and remarkit, be those who were trusted with the busyness, it is clearly fundin that your maiesties casualtyis and rentis are verie far diminished, and come short of that quhairunto they amounted in the preceding comptis, the occasion quhair of has proceeded partly from the decay of the trade and handling, quhilk is wondrously fallen of, in all the parts of this kingdom, and partly from the small prices that the victuall presently gives. And although your maiesties thesaurair and deputie thesaurair, with the concurrence of the commissioners of your maiesties rentis, has been verie sollicit, careful, and diligent to supply and set up this defect and diminution in your majesties rentis, by sundrie means and ways,



quhilkis thay haif cairfullie followit oute to that effect, yitt thay can not bring your maiesteis rentis, and the burdynis lyand and daylie increfeing vpoun the officeis, to ane equall proportioun; with the particularis quhair- of we being loathe to impashe youre maiestie, and yo ure deputie thefau- rair being desyrous to gif ane accompt thair of to youre maiestie him selff, we haif allowed of his goode intentioun in this pointe, and wilbe bauld humelie to intreate your maiestie, that quhen he comes thair, youre ma- iestie wilbe pleasit to grant him fauourable acceffe to youre royall pre- fence and benigne audience, to relate vnto youre maiestie fuche particu- laris, as he hes to propone for the advancement of the seruice, with fuche laughfull furtherance and assistance as may in able him to discharge the same to your maiesteis honnour and contentment of the subiectis. And so, praying the Almighty God to preferue your maiestie in helthe, and to blisse youre maiestie with mony lang and happie yeiris, we rest

Your Maiesties most humble and obedient  
subiectis and seruitouris,

AL. CANCELL<sup>s</sup>.  
MELROS.  
KILSAYTH.

GEORGE HAY.  
W. OLIPHANT.  
J. HAMILTON.

Edinburgh, 29 Merche 1621.

To the King his most sacred and excellent  
Maiestie.

CCXXXIII.—EARL OF MELROS TO KING JAMES VI.

MOST SACRED SOUERANE,

My iust greif for my errour in the narratiue of the letter to the parlement, forces me to importune your maiestie with my most humble

fute for pardon, and for your maiesties gracious permissiō to adde this true excuse, that not hauing directiō or warrand from your maiestie to enterteane correspondence with anie strenger, I haue carefullie forborne to do it by wourd or writ; neither haue I knowne from court, either by particular letters to my self, or by anie wretin to the counsell heir, anie certanetie of the estate of the affaires of the Palatinat or Boheme; and so wes forced to follow the incertantie of popular reports. I submislie beseech your maiestie to be graciously pleased, at all efter following occasions, to make me happie by more particular directiō of your most excellent wisdome, which I fall follow as the infallible reule of dutie.

As to the contribution, wherof your maiestie commands me to haue care, all the nobilitie and counsell ar witneffis of my zeale expresse in that mater at both conuentions, by such reasons and examples, as bind me to continow and to adde all furder persuasions which my weake iudgement, reading, or experience can furnish. And the innumerable graces receiued from your maiestie fall make me incessantlie to beseech God to perpetuat to your maiestie, and your royall posteritie, the perfection of all happinesse in heauen and earth, and to remane

Your Maiesties most faithfullie humble and obedient  
subiect and seruant,

MELROS.

Edinburgh, 28 April [1621?]

To the Kings most sacred Maiestie.

CCXXXIV.—THE EARL OF MELROS TO JOHN MURRAY.

SIR,

YESTERNIGHT I receiued by packet of the tuentie, your two letters of the 17, and haue, as ye aduised me, wreten to yow this other

letter, to be showne to his maiestie when ye find opportunitie. The counsell is to conveene vpon the fourt of June, at which time I fall presente your roll, and fettle that turne conforme to your direction, in the best fort I can.

Your busines with Waughton delayes by Sir James Bailies default, who receiued from Mr Francis Hay the contract fifteen dayes ago, and still reteanes it; so, till his returne to this towne, nothing can be done therin. I wrote to yow before of the conference I had with my lord Stormont, wherby I sie no appearance of farder progresse in these affaires, vnles he change his mind. In the meantime, things may rest as they ar; and whill ye sie some better resolution in him, ye may forbear to furnish moneyes for the vse proponed by him, pretending iustlie the greater necessitie of the releif of debts vndertaken for your bargane of Tunigham.

I deliuered your letters to James Hamilton, who wes returned before they came to my hands.

I am glade ye haue fetled with the earle of Niddisdaill. In your question of nighbourheid, I fall do the best offices I can for settling it, if these for the other partie please to proceed vpon the grounds intended by yow, which I scarcelie expect, and feare he leane too much to the opinion of his right and power of his freinds heir; but if it turne to that, I am confident that many whom ye haue oblised, will proue honest and thankfull men in all lawfull dutie. It fall be aganis my will, it go to that triall, vnles their strictnesse force it. So, wishing yow all happinesse, I rest

Your faithfull and euer obedient freind,

MELROS.

Edinburgh, 28 May [1621?]

To the right worshipfull John Murray of  
Lochmaben, one of his Maiesties  
Bedchamber, at Court.

## CCXXXV.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

WE reffaued youre maieftie's lettre of the fecund of May laft, by the quhilk, it hes pleafit your maieftie, to recommend vnto ws the confideratioun of that petition, exhibite vnto your maieftie on the behalf of Ludouik Steuart, brother to the Lord of Blantyre, anent the erecting and fitting vp of beacons vpoun the fhallow pairtis and blind craigis, within the river of Forthe, and it wes your maieftie's pleafour, that we fould returne vnto your maieftie, oure opinioun anent the expediencie of the granting of that petition, in the quhilk point, as with all dew refpect, we acknowledge youre maieftie's moft fingulair and prudent directioun, and youre excellent foirfight and wifdome, in foirbearieng to gif way to petitionis of this kynd, till firft youre maieftie be trewlie informed of the nature and qualitie of the fame. So anent this particulair, the trewth is, that in this laite vnfeafonable and tempeftuous winter, fome ftrangearis fchippis being brokin and caffin away vpoun the faidis blind craigis, fir George Bruce, oute of his honneft refpect to the credite of the cuntrey, maid a motioun vnto ws, for fetting vp of beacons vpoun the faidis blind craigis, and he vnder-tooke the doing thair of, vpoun a verie fmall dewtie to be payit be euerie ftrangeair fhip paffing vp the firthe for ane yeir; bot the gentlemen awnaris of the coilheuchis vpoun the revair of Forthe, whome this mater chieflie concernis, inrefpect no ftrangearis fhippis comis that way bot outhir for coill or falt, apprehending, with verie goode reffoun, that the payment of this dewtie wald carye with it a verie grite reproitche and fcandall to the cuntrey, as yf fuche a fmall peece of worke in the moft eminent river of the kingdome, could not be gottin done without the contributioun and help of ftrangearis, thay thairfoir haif vndertane, freelie and vpoun thair awne chargeis, to fett vp the faidis beacons, betuix and this approtcheing

Lambmes, fo that now thair is no neceffitie, that ony otheris falbe fett on worke that way; and yf the lyke of this occasioun fhall fall oute in ony other river of this kingdome, vpoun knowledge to be gevin thairof vnto ws, we fhall tak fuche courfe and ordour thairanent, as fhall beft ftand with the credite of the cuntrey and faultie of shippis arryveing in the faidis riveris. And fo, continewing oure eirnist and vnceffant prayeris vnto God for your maieftis long, happie, and bliffed reigne, we reft

Youre Maiefties most humble and obedient  
fubiectis and feruitouris,

AL. CANCELLS.  
A. MAR.  
MELROS.

DUNBLANE.  
R. COKBURNE.  
J. COKBURNE.

Edinburgh, the fyft of Junij 1621.

To the King his most sacred and  
excellent Maieftie.

CCXXXVI.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

THAIR hes beene tua remiffionis signed be youre maieftie laitlie,  
presented to be exped be ws, the one in fauouris of Sir James M'Donald,

and a number of his compliceis, for the slaughter of M'Clane, for breking of warde oute of the castell of Edinburgh, for surprising of the castell of Dunnyvaig, for fyre raising, and all otheris crymes committit be thame ; and the other in fauouris of M'Rannald, and certane his compliceis, for conveying of the said Sir James M'Donald oute of the castell of Edinburgh, for fyre raising at the castell of Dunnyvaig, slaughter of the constable thair of, and for all otheris crymes and offenffes commitit be thame : And althoght we acknowlege youre maiesteis royall power, and youre most gracious and clement dispositioun, to extend youre fauour and mercie to suche of youre maiesties subiectis as hes offendit, yitt the truste whilk youre maiestie hes reposit of youre affairis in ws, oblißes ws in dewitie to present vnto youre maiesties consideratioun, oure humble opinionis concerning thir remissionis ; for in materis of this kynd, importing the quyet of the state, and concerning chiftanis of clannis in the Heighlandis and Ilis, who hes grite dependance, and ar followit be mony personis wickedlie and evil dispoisit, youre maiestie hes beene pleasit that goode suirtie be fundin for youre maiesties peace, and for thair futur obedience to law and justice, in whilk pointe thair hes no suche offer beene maid be thir personis. And howeuer we perswade oure selffis, that it is not youre maiesties meaneing that thay fall returne within this kingdome, yitt it is expedient, for preuenting of all occasionis that may fall oute, that thay fall find suirtie for the peace, for thay and thair friendis, who now lurkis and ar quyet, and who, without doubt, will ryse and joyne with thame, yf thay fal happin to returne, hes so far medlit with the lyves and bloode of numberis of youre maiesteis subiectis, that it may be certanelie expectit, mutuall revengeis wilbe huntit for on ather fyde, quhairupoun suche difordour and confusioun will fall oute in the Ilis, as will require grite panes, chargeis, and expenffes to pacifie the same. The consideratioun quairof hes moued ws to continew the expeding of thir remissionis, till we vnderstand forder of youre maiesteis pleasour thairanent ; and we will humelie beseeke youre maiestie to vouchaif youre gracious acceptance and fauourable constructioun of this oure humble opinioun, quhairin we haif no other respect bot youre maiesteis obedience and the peace of the cuntrey. And so, praying the Almightye

God to protect youre royall perfone, and to blisse youre maiestie with  
mony lang and happie yeiris, we rest

Youre Maiesteis most humble and obedient  
subiectis and feruitouris,

AL. CANCELL<sup>s</sup>.  
A. MAR.  
MELROS.  
GEORGE HAY.

W. OLIPHANT.  
G. MURRAY.  
KILSAYTH.  
J. HAMILTON.

Edinburgh, 7 Junij 1621.

To the King his most sacred and  
excellent Maiestie.

CCXXXVII.—EARL OF MELROS TO KING JAMES VI.

MOST SACRED SOUERAIGNE,

ACCORDING to the commandment of your maiesties letter, I wrote for the principall gentlemen of the earle of Homes name to come to this towne, to know by me, your maiesties pleafour in maters concerning the earle and his house; whervpon the lairds of Wedderburne, Aytoun, Blacader, Poluart, Manderston, Hutonhall, and Northberuik, came, to whome I related the finishing of the earles mariage, before they could be aduertised, proceeded of your maiesties earnist desire to haue it done (as a mater greatlie importing the young noblemans good) before the vicount Falkland fould go to Ireland, and therefore wished them not to mistake it, but think of it, as a mater procured by your maiestie for the parties good, of whom, and all his affaires, your maiestie intended to take a gra-

cious care. I shew also your maiesties expresse will that they shoulde keepe dutie to the earle, and be instruments of peace and loue betuix him and his ladie, which they all heartelie promised, resting satisfieed with what was done, since it proceeded from your maiesties good pleasour, whose gracious respect to that ancient house was notour to them all. They desired that, in other maters of importance concerning the earle, the countesse his mother might make her intentions and courses knowne to them, and heare and respect their faithfull aduice therin, which, if scho neglected, they could haue no contentment to mell in the busines. I promised to propone their desire and obteane their satisfiacion, and so dismissed them with contentment, ioyning with me in prayers to God for your maiesties long and happie life. I rest

Your Maiesties most humble, faithful, and bund  
subiect and seruant,

MELROS.

Edinburgh, 14 June [1621?]

To the Kings most sacred Maiestie.

CCXXXVIII.—EARL OF MELROS TO JOHN MURRAY.

SIR,

I HAUE been foght be the laird of Bas and his mother, to deale with them at this terme for some Lamtermure rowmes of small auail, which he held of me, and hearing that others were of intention to haue blocked, for whom the rowmes were not so necessarie as for me, who haue no vther store rowmes for sheep to the vse of my house, when I dwell in the Byres, I accepted of their offer, and haue payed to them one and



tuentie thoufand merkis. They haue yet reteaned vndifponed ane rowme halden of me, for which they are bound to pay yeerlie aucht chalders victuall, which is very neere the vtter availl of that land, albeit I offered to haue giuen them any fmall price it could haue beene tryed more worth nor the fewferme; but they giue owt that they will fell no more. In the meantime, I will affure yow, that one of their neereft and beft freinds hes told me, that he perfittlie knowes, that if they fell als much land as may pay their debt, they will haue litle or nothing behind to themfelues, and ere ane yeare be at ane end, they will either fell the moft part of that eftate, or it will be comprifed from them. Therefore, if yee haue a mind to deale, prepaire moneyes fo foone as ye can, for their neceffities will force them to do that which in vaine they ftriue to efheue. I neede not to feek thankis from yow for forbearing to mell in their barganes, becaufe I am vnable for want of moneyes, but I will pray yow to beleue, that albeit I had more nor their valiant, I wald not giue them fyve fhillings, if I knew that ye intended to bargain with them, except for the rowme of Grangemure halden of me, the price wherof will not exceed the worth of my fewfermes in two or thrie thoufand merkis. If ye deale with them, the greateft difficultie will arrife from inhibitions ferued aganis them, for fome haue alreadie begun, and it is to be feared that their exemple may moue others to do the like. Whateuer ye fall wifh me to do for help of your intentions in this bufines, vpon aduertifement fall be hairtelie be performed by

Your moft affectionat and bund freind,

MELROS.

Edinburgh, 19 June [1621?]

To the right worfhipfull John Murray of  
Lochmaben, one of his Maiefties  
Bedchamber, at Court.

## CCXXXIX.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

THAIR hes beene a petitioun preferrit vnto ws, in name of youre maiesties goode subiectis, the marcheantis of this kingdome, who tradis and trafficquis in France, proorting, that quhairas thay, for the better intertenying of thair trade in that kingdome, haueing ever beene in vse to haif thair factouris lyand at Pareis, Rowane, Deip, Newheavin, and Burdeaulx, and fuche otheris townis and pairtis in France, quhair the intercoure of thair commodityis wes moſt frequent and commoun, and that thir factouris haueing the charge and truſte of thair whole goodis, and of the wairing and returning of the ſame, and of the paying and reſlaueing of thair debtis, and ſome of thame, haueing thair whole ſtokkis lyand in thair factouris handis: That now, vpoun occaſioun of thir troublis in France, quhairwith theſe of the religioun ar cheiflie threatned, thair ſaidis factouris doe not onlie vnderly the commoun danger and calamitie with the reſt of thair religioun, bot with that the goodis of thir petitionaris, quhairof thair ſaidis factouris hes the charge and truſte, ar lyke to be expoſed to the diſcretioun of the merciles ſouldiour, quhairthrow, nomberis of youre maiesties goode ſubiectis wilbe ouerthrowne and wrakit, vnles your ſacred maieſtie, oute of youre accuſtomat princelie and tender regaird of thair diſtreſſes, prouide remeid. And thairfoir, thair humble petitioun vnto ws, wes, that we wald recommend thame vnto youre ſacred maieſtie, and, on thair behalfis, be humble interceſſoris vnto youre maieſtie, that youre maieſtie wald be gratiouſlie pleaſit to write in thair fauouris to the Franſhe king; as youre maieſtie hes alreddie done, in fauouris of the Ingliſhe marcheantis and thair factouris; that thay and thair factouris may peceable vſe thair trade within the ſaid kingdome; that thay may call for thair debtis be ordour of law, and that thay be not troublit in thair conſcienceis, perſonis, or goodis, be vertew of any ediſtis maid, or to be maid, for makeris of religioun, or ony thing

depending thairupoun; and that thair armour quhairof thay ar alreddie spoylled may be redelyuerit vnto thame. This being the effect and substance of thair petition, we humelie present the same to youre maiesties princelie consideration; and we will craue permissioun humelie to beseeke youre maiestie, to gif vnto thame some satisfactioun in this point, after suche a forme and maner as youre maiestie, in the excellencie of youre incomparable wisdom, shall holde fitting, by whilk doing, youre maiestie will prevent the appeiring ouerthrowe of a number of honnest familieis, whose whole estate and stok is lyand in France, and thay wilbe stoirit vp, in a most christiane and holie dispositioun, to be so mutche the more feruent, according to thair bundin dewitie, to concur and continew with ws in thair vncessant prayeris vnto God for youre maiesties lang, blissed, and happie reigne. Frome Edinburgh, the xxi day of Junij 1621.

Your Maiesties most humble and obedient  
subiectis and seruitouris,

AL. CANCELL<sup>s</sup>.  
MELROS.  
LOTHIANE.  
CARNEGIE.  
KILSAYTH.

LAUDERDAILL.  
GEORGE HAY.  
W. OLIPHANT.  
R. COKBURNE.

To the King his most sacred and  
excellent Maiestie.

CCXL.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

WE reffaued youre maiesteis lettre of the xxv of May last, by the quhilk, it appeiris youre maiestie hes tane some offens, becaus youre maiestie wes not acquentit be ws with the rebelloun of the Erle of Caithnes,

and with the difordouris of the cuntrie of Caithnes, quhilk, as youre maiestie is informed, is now become als barbarous as the most remote pairtis of the Heighlandis or Ilis; and thairfoir it is youre maiesteis pleafour that we fall expeid a commissioun to Sir Robert Gordoun for persute of the said erle and taking of his houffe, and that we fall tak ordour that euerie landit man in the cuntrie of Caithnes, fall, anes or twyfe yeirlie, gif thair personall compeirance befor ws, as the chiftaneis of the Ilis dois, to ansuer to fuche complaintis as fall be maid aganis thame: and last, that the gift of the said erle, his escheate and lyverent, falbe disponit gratis to fuche a persone, as the bischop his commissair and ministeris fall nominat, for thair vse and behoofe. In quhilkis particularis, we will humelie crave youre maiesteis permissioun first to cleir oure sellfis of these pointis, quhairof youre maiestie seames to tak offens aganis ws, and then to present vnto youre maiestie oure opinioun concerning the other pointis of youre maiesteis lettre.

And first, for not acquainting your maiestie with the erlis rebelloun, and with the difordouris of the cuntrey, we haif not hard of ony publict or avowed rebelloun profest be him, whairupoun thair wes ony appeirance of trouble or vnquietnes lyke to follow. He is diuers tymes at the horne for ciuile causses, bot he hes had fuche a doing with his creditouris, of feeding thame with hoipis and expectatioun of payment, that thay haif beene verie oft petitionaris and fuitaris vnto ws, for protectionis and continewationis vnto him, and thay can not, nor will not, complene of want of justice, bot thay haif bene assistit with all fuche executioun, reall and personall, as is ordinair in civile hoirnings: and towcheing that criminall hoirning obiectat aganis him at the commissaris instance, for the slaughter of his brother, thair wes litle or no intimationis maid thairof to ws, afoir the refett of this youre maiesties lettre. The pairtie hes had the lawis patent vnto him, and in the prosequution thairof, wes never denyit of ony thing, that the course of justice in fuche a caise wald allow.

And for the difordouris of the cuntrie, and astricting of the landit men thairof to thair personall compeirance yeirlie befor the counsaill, we may confidentlie say vnto your maiestie, that we haif hard als few complaintis or difordouris in that cuntrie as in ony other pairt of the incuntrie, for

your maiesties subiectis who tradis and trafficquis thair, hes the exercise of thair trade and handling, in als grite fredome and securitie thair, as ony quhair els; and the landit men of the cuntrie ar ciuile, peceable, and anfuerable gentilmen, levis vnder the obedience of your maiestie and your lawis, and followis thair actionis, quhen thay ony haif, be the ordinair course of iustice. Sua, that, in oure opinionis, (faulffing youre maieftis more excellend iudgement, quhairunto we submitt oure selffis,) it is not expedient that thay who ar, and euer hes bene, in the rank and qualitie of anfuerable gentlemen, falbe tyed to the necessitie of personall compeirance yeirlye, or that thay falbe straitit with those conditionis, quhairwith the cheftanis of the ilis, quho euer hes bene difobedient and vnafuerable, ar burdynnit.

And towcheing the commiffioun commandit to be exped to Sir Robert Gordoun, we fend for him, and impairted vnto him youre maieftis direction in that pointe. The gentilman seamed verie willing to vndirgo, quhatfomeuir burdynis or seruices your maiestie wald impoife vpoun him, and thairin to hafaird, not onlie his awne esteate and fortoun, bot the lyves and fortounis of his freindis and followaris: bot anent the executioun of the commiffioun in that substantialious forme and maner, as wes requisite for youre maieftis honnour, and his awne credite, he proponned some difficultis and doubtis, as namelie, yf the erle fould flee to ony houffes or strenthis, quhair of he hes three verie strong, in quhat forme and maner fould the houffes be persewit, feing thay wer not able to be recouerit without the cannoun; and quhen, as we wer reafouning vpoun this difficultie, after that Sir Robert wes remoued, thair fell oute another questioun at the Counsaill table, anent the trouble that might aryse, vpoun the executioun of this commiffioun in the persone of the said Sir Robert, in respect of the mony eleiftis, discontentmentis, and jarris, standing betuix the houffes of Suthirland, Strathnaver, and Caithnes; and yf the pouer and forceis of Suthirland and Strathnaver fould come in Caithnes, vnder the charge of the said Sir Robert, who now, in the minoritie of the Erle of Suthirland, representis the head of that houe, it is to be feared, that mony occasionis wald occur betwix thame and the cuntrey people of

Caithnes, quhilkis wald procure grite difordour and trouble; and thairfoir it wes proponned, as ane expedient for eshewing of all suche appeirand difordour and trouble, that the Lord Gordoun, who is ane neutrall and indifferent nobleman, and quhose authoritie and prefence wald do mutche in these cuntreies, fould be adioynit vnto Sir Robert in this commiffioun: quhairanent Sir Robertis awne opinioun being craued, he verie hairtelie and willinglie imbraced the ouertour, promiffing to joyne and concur with the Lord Gordoun with his haill pouer, freindship, and forceis in that seruice. And the mater being proponned to the Lord Gordoun, he verie wyllie, and with reffoun, anfuerit, that he wald not intruft himself in youre maiefties seruice, without your maiefties allowance and speciall directioun; promiffing neurtheles, to vndirgo quhatfomeuir youre maieftie falbe pleafit to injoyne vnto him, in this or any other thing els.

And towcheing the escheate and lyfrent of the faid Erll of Caithnes, that is all quhairupoun his creditouris and cautionaris, who ar mony, and youre maiefties goode and faithfull subiectis, hes buildit thair hoipis of payment, and without the quhilk, thair is no possibillitie of releiff or payment. Thay ar a number of honnest men, and some of thame hes thair whole esteate and fortonis in the erllis handis; and yf otheris, whose entres is litill or no thing, falbe preferrit to thame in this point, thay and thair famileis wilbe vndone. Thay advanceit thair moneyis quhen the erle wes ane free and laughfull subiect, thay haif not bene accessorie to his misdeidis, nor hes not offendit agane your maiefties lawis; and thairfoir we will humelie intreate your maieftie in thair fauour, that thay may be preferrit to the escheit and lyfrent, without the whilk thay ar vndone.

In the otheris pointis anent the commiffioun, and the personall compeirance of the landit men of Caithnes yeirlie, we humelie beseeke your maieftie to accept in goode pairt oure opinionis thairanent, quhairin we ar free of all priuat respectis, and hes no thing befoir oure eyis bot your maiefties honnour, the peace of the cuntrey, and furtherance of your maiefties seruice, and that youre maieftie wilbe pleafit to latt ws knowe your awne pleasour, bothe anent the adjoneing of the Lord Gordoun to this commiffioun, and quhat course falbe followit oute aganis the faid erle, yf

his houffes falbe kept, quhilk we looke not for. And fo, with our humble and eirnist prayeris vnto God for your lang and happie reigne, we rest

Your Maiefties moft humble and obedient  
fubiectis and feruitouris,

AL. CANCELL<sup>s</sup>.

A. MAR.

WINTOUN.

WIGTOUN.

MELROS.

LAUDERDAILL.

ROXBURGHE.

J. ERSKYNE.

R. COKBURNE.

Edinburgh, 28 Junij 1621.

To the King his moft excellent and facred  
Maieftie.

CCXLI.—EARL OF MELROS TO KING JAMES VI.

MOST SACRED SOUERANE,

NECESSARE duetie commandis me to giue your maieftie aduertifement, of the proceeding of matters concerning your maiefties parlement of this your natiue kingdome, and my exercife therein refusing me leasure to doe it orderlie, forces me to beg your maiefties gracious pardon, rather to doe it in rude forme and stile, nor, by curiositie of thofe, to neglect any pointe of fubftance. The marquis of Hamilton, your maiefties commiffionare, came to Edinburgh vpon the 18th of this moneth, and met no fooner fome noblemen and barons vpon his way, but, after interchanged courtesies, he begane to require their affiftance in his charge of your maiefties fervice. The next day he conferred with the deane of Wincheſter and archbifhope of St Androis, of church matters and others, concerning

your royall directions in parlement, and then mett with some few of your most trusted officers and counselloris; and least the rest of the counsell and nobilitie should suspect that conclusions wer made by a few number, and they neglected, he convened them all vpon Satirday, and by their advise, resolued vpon the time of fensing the parlement day, of the ryding of the estates, and course to be kepte for preventing contentions, trouble, or disorders. Vpon Sondag in the afternoone, and Monday, he continued his dealing with particulare men of evrie estate, and speciallie the noblemen, whose favour he preassed to conciliate be hartie conversation and feasting. But hearing vpon Monday afternoone, that a madd minister of Merton, called Simpson, had made a foolishhe and malicious sermon in the Grayfreir church of this towne, vpon Sondag in the afternoone, and that Maister Andro Duncane, sometime minister of Craill, and for fundrie contempts done to the bishopes now depriued, had given to the clarke of register a supplication to haue beene presented to the parlement, impugning in effect the Articles of the Assemblie of Perth, whome two ministers, the archbishope of St Androis and I, caused be apprehendit by the captane of the gaird, your maiesties commiffionare did presentlie convene the counsell, where they werr accused, and, vpon notorietie of their offences, wer presentlie sent prifoners to the castle of Dumbarten; and vpon knowledge that the commiffionares of the burrowes had assembled themselues for affaires concerning their estate, and that some nyne or ten ministers had importunelie obteaned entrie and audience of them, and exhorted them not to allow in parlement the Articles of Perth, offering to reade and deliuer to them their supplication and protestation, like to that other given by Mr Andro Duncan to the clarke of register, your maiesties commiffionare, by advise of the counsell, ordained a proclamation to be made, declaring, that vpon knowledge had of the seditious behaiour of some ministers, who, to the scandal of their profession, having left their flockes and due charge, wer come to Edinburgh to stir sedition, and trouble the course, iustlie intendit by your maiestie for the good of the estate and church, therefore they wer all commanded to voyde the towne, and returne to their charge (excepte such as, verifieing to their ordinares the lawfulness and necessitie of their affaires, should obteane their



licence to remayne), vnder the payne of horning and present imprisonment, whiche being published, hath fred the towne and estates of that tumultuous crew. Vpon the 25th, the estates being readie to ryde to the Parlement House, Langton, ingyring himself to take possession of the office of isher to your maiestie, whiche nather he nor any of his predeceffours had inioyed in any living mans memorie, and being first requisted, and thereafter charged, disobeying both, wes, for his contempt, sent to the castle of Edinburgh. Immediatlie thereafter, a contention arose betwene the lords Hay and Keith for their priuiledges in keiping and garding the Parlement House, whiche being difficillie settled, the estates raid to the towbuith, in greate number and good order. Being conuened, your maiesties commission wes red, and then the archbishope of St Androis made ane excellent sermon of the honour and obedience due by subiects to princes, of tribute and custome to be payed to them, and exponed wittellie the word *reddite*, ascriving it to due and necessarie payment, and not to giving, adducing the exemple of Christs owne payment of tribute, and his mothers takeing him in his cradle to Jerusalem, where the whole Jewes wer, by the law of God, commanded yearlie to conuene and pay tribute. He alledged many exemples of the losse and ruine of kingdomes and estates for neglecting to contribute to supplie the warres of their princes, and most notablie the losse of Constantinople and the Impire of the Orient, applying all to the iustice and necessitie of your maiesties present desire, whiche he amplified by all convenient circumstances. Last, he brought handsomelie in, the purpose of the Church Articles, and, amongst other reafons, proponed the acknowledgement conteined in the first Confession of Faith, made after the Reformation, ratified by act of parlement 1567, acknowledging that church discipline and rites, could not be perpetuallie vncheangeable, but wer, vpon good considerations, alterable, and so being indifferent, and the articles now introduced being lawfull and expedient, needed no other warrant but the iudgement of oure king, so religious, wise, learned, and iust, as the world had not seene his equall. After him, spake youre maiesties commissioner, of the charge imposed by youre maiestie vpon him, his sence of his own insufficiencie, and necessitie of his obedience, regrateing that he could not

wourthelie relate your royall directions, with such grace as might proue aunfwerable to the expreffion of your love of this people, whiche was the only reason of his imployment. That the parlement was indicted at the earnest requiste of the nobilitie and counsell, the iust causes of your maiesties desire of supplie notour to the world, not for any ambition vpon your part to encrease the power of your sone in law or his children with other mens estates; that warre being begune by the people of Bohem, impatient of the heauie yoke imposed vpon their persones and consciences, and their subtile and instant introductions of your maiesties sonne in law to vndertake their protection, more rashelie nor your maiestie either knew, or, after knowledge, allowed; but the progresse of the vsuall accidents of warre having brought vpon him disadvantages and losses, whiche, not being remedied, wold tend to his eternall ruine and disherising of your grandchildren, your maiestie wes forced to contribute greate sowmes for his defence, and of intention to menteane a continowell warre, but to avert his vtter overthrow, till, by your royall care and wisdome, yee might, by mediation and treaty, procure peace and restitution of his patrimonie, wherein the charges of your ambassadouris, ordinarie and extraordinarie, sent to the most part of the princes and estates of Christendome, wer so greate as could not be duellie considered by such as wer not priue to matters of such consequence, not communicable to the vulgar forte, and whill, as your maiestie wes in good hope of fetling that greate warre, yee wer draune vnder new troubles and charges by the warres of the Voltalin, France, and the Low Cuntries, whereof no fetling could be expected but by your maiestie, whom God had indewed with so extraordinar wisdome, graces, and authoritie, that the Christien world acknowledged yow alone for arbiter of their controversies; that the manifest danger of religion in all the parts of Christendome did more neirlie touch your religious hairt nor the interrest of your children, feing the world knew that in the matching of your doghter (matchlesse for vertue), your maiestie, vpon consideration of the frailetie of mans life, albeit that your deare sonne then promised that whiche God hath since performed in him, by strenth of bodie, happines of health, and accomplishment of all princelie vertues, yet desiring, that yf God should appoynte him to die without issue of his bodie (whiche

God defend), the world might fie that your maiestie did not so much affect the honour of more eminent, powerfull, and wealthie alliance, by hir with papists, who, not seeking money with her, wald, as it wer, haue brybed your maiestie, with infinite treasor, to haue granted to them the honour of your royall alliance, yee, out of meere zeale to religion, had, as it wer, entailed your posteritie to the protection of religion by hir marriage with ane excellent prince of our profession. Therafter he exprest the zeale and forwardnes of oure neighbour cuntrie at full, and speciallie of the Londoners, who had forbiddin feasting, when your maiesties grandchildren wold haue beene compelled to faste, yf your naturell and religious bountie had not royallie furnished them all princelie charges, and therefore exhorted the estates, to increase the quantitie of their wointed contributions, according to the importance of the present estate of affaires, rather to stirr vp oure neighbours by exprestion of their affection, nor the value of the summe, assuring them, in your maiesties name, that yf they should at this tyme behaue themselues thankfullie and wourthelie, your maiestie meant not hereafter to trouble them with furnishing more monyes. Last, he recommendit the affaires of the churche, and that they would therein remember the bypast proofes of your excellent knowledge, greate care and trauels for menteaning and promouing religion; the publick testimonies of your admired workes, revered by the learnedest of the world, the malice of the aduersaries preassing to procure your death (whiche God auert), as the heighest of their hopes and desires, for prevailing against all the professours of the truth. He roughlie inveyed against those, who treasonable sclandered your maiestie with intention to introduce all Englishe ceremonies, but speciallie against those, who spoke of papistrie or libertie of conscience, assuring them, that yf they wold abey and confirme the actes already made, your maiestie wald neuer intend any future alteration. He enlarged thir grounds in so good termes, as all the estates acknowledged, how well he had proffited vnder the hands of the best maister in the world. The publick speeches wer concluded by my Lord Chauncellar, whose description of the dignitie of a parlement, and honor of the particulare estates and members therof, in so heigh stile and learned

subſtance, as did exceede the capacitie of many of the vulgar auditors : he cloſed with a pithie exhortation for the contribution and church affairs. Therafter the Lordis of Articles wer choſen with ſuch dexteritie, that no man wes elected (one onlie excepted), but thoſe who, by a priuat rolle, wer ſeleſted as beſt affected to your maieſties ſervice. A propoſition wes made, conteaning a noveltie annent meiting of all the nobilitie, after the articles wer concluded, to ſitt and conſider of them before they wer ratified by publiſt parlement, whiche wes ſo dexterouſlie vſed, as I hope no harme ſhall enſue. I had almoſt forgottin that your maieſtie having iuſtly blamed my errours in the firſt draught I ſent of a letter to haue beene ſent by your maieſtie to the eſtates, and being pleaſed to declare that yee wald cauſe reforme it and ſend it downe, when I perceiued that it had not beene remimbred, and that tyme wold not permitte to ſtay till it might be required and had, I rather tooke boldnes to aduenter to preſent that whairof I ſend herewith the copie, authoriſed by warrant entrufed by your maieſtie to your commiſſionare, nor that the parlement ſhould either deſerte or delay too long. Yf it pleaſe God to make me ſo happie as that my coniectural ſtile be no more offenſive to your maieſtie nor it wes to the eſtates, and that your maieſtie may be pleaſed to ſend me an warrant in wret, pardoning that whiche I wes forced to aduenter for the good of your ſervice, I ſhall humblie thank his heauenlie Maieſtie, and alwiſe beſeeche him to graunt your maieſtie all the bliſſings that your royall hart, and the hartie affectiones of your faithfull people beg to yow at his bountifull hands, and reſt

Your Maieſties humbleſt and moſt obliſhed  
of all your faithfull ſeruants,

MELROS

Edinburgh, 26 July 1621.

To the Kingis moſt ſacred Maieſtie.

## CCXLII.—KING JAMES VI. TO THE PARLIAMENT OF SCOTLAND

RIGHT reuerend fathers in God, right truſtie and welbeloued cofens and counſellours, right truſtie and welbeloued cofens, and remanent our officers of eſtate, and commiſſioners for the ſmall barones and borrowes of that our kingdome, conueened in our parlement thereof, We greet yow heartelie well. Albeit our inceſſant care to procure and menteane the peace of Chriſtendome, moued vs long to forbear to giue aſſiſtance to oure ſone in law for defence of the Palitinat, his natie patrimonie, and birthright of our grand children, till the vnbridled violence and obſtinat malice of the uniuſt inuaders, and the bands impoſed vpon vs by God and nature, hes at laſt forced vs, for ſafetie of religion, keeping faith and dutie to our confederates, and confirming our fame and reputation vnſpotted in the opinion of all vnpartiall nations, to reſolue to ſecure, by iuſt armes, that, which no freindlie entreatie or reaſon could effect. Yet when we began to meditat of the prouiſions requiſit for that royall interpriſe, we conſidered that the meanes and wealth of that our natie and euer beloued kingdome, ar als far inferiour to the ſtore of other cuntries as their royall affections to vs, and our moſt royall progenitours, hes equaled, if not exceeded, the zeale of any nation of the Chriſtian world, famous for heartie loue and obedience to their naturall princes, and therefore we abſteaned to require aide of any of yow to that chargeable diſſein, till firſt we had eſſaied our good ſubiects of this kingdome, and, by tryall, found the alacritie of their affection and liberalitie beyond our hopes and motions, wherby we wer thereafter induced to write to our nobilitie and counſell there, to let vs know, what voluntar ſupplie might be expected from them, not ſo much for the importance of the ſowme, as to manifeſte to all our people that we meant not to ſurcharge any one nation or eſtate, and to grant vnequall immunitie to others, but to aproue youre zeale to your fellow ſubiects, according to your power. But

finding since, by the answers returned from our nobilitie and counsell, by their letters and humble message, that the course of contribution would be a hinderance to a better and more vniuersall pourpose of generall taxation, the reasons propofed by them, and assurances giuen by thair letters, that they would do about the vttermost of thair powers for encouraging the other estates, by their exemples and reasons, to do the like, without exemption or immunitie to any, at this more nor necessarie occasion, hes so well pleased ws as we haue yeelded to their desire of a parlement; and for that effect having assembled yow all, we are to informe yow, that no care, trauell, expence, diligence, or other meane of lawfull treatie, wes omitted by ws for pacifying the querrell of the Palatinat, wherein the effects not answering our laborious endeouours, and equitable intentions, the conioyned interest of religion, state, and dutie, hes constrained ws to embrace our sonne in lawes protection, with the approbation of all iust, wise, and indifferent princes and estates in Europe, who acknowledge, vpon our part, *bellum iustum esse quia necessarium*: And vnles we should appeir deficient in our duties to God, religion, nature, and to our owne bouelles and faithfull confederates, we can no longer forbear to interpret the recouerie of the patrimonie of our grandchildren, vniustlie vsurped by their ravenous and merciles ennemies, which can not be prosecuted without moneyes, the true sinewes of warre, nor can sufficient store of moneyes be had for menteaning that monster of warre (which keepes no dyet, but is both at first framed, and without intermission must still be fed and fusteaned by the bellie), withowt the liberall subuention of our subiects, louers of their king, cuntrie, and religion. Pouertie hes euer been reproched to that our kingdome, but well refuted, that is, *vitium soli non gentis*; and we know that the foile hes not in our aige furnished fewar meanes of trade and inbringing moneyes, nor this and the immediatlie preceeding yeir, which will disproportion your abilitie from your wishes and good wils. But when we fall remember how God hes made ws his immediat instrument to secure your liues and estates, from the personall butcheris vsuall in your deadlie feedes, the thiftes, spulyies, reifes, fyre raifings, blak males, ransomes, and all fortes of other extortions and oppreffions, committed or exacted by the Hielandmen,

Bordourars, and others petie tyrants, besides the exorbitant charges for menteaning your hereditarie and almost immortall querrells, your immunitie from your vsuall vexations, and rondes for setling the Bordours, Hielands, and Isles, and for conferuing peace with your nighbour kingdome, and establisshing vniuerfall peace and justice, at our exorbitant charges, we ar assured ye will now, at this neccessarie and extraordinarie occasion, schow your thankfulnesse, and retribute a competent proportion of that whole, which in effect ye haue receiued of ws, and which, since our accepting the gouernement on our owne person, ye would haue esteemed to haue been profitable conquised at the price of the greatest part of your whole vaillant. Neither do we think that ye haue forgotten, that, efter a fort of commendable ambition, ye preassed to haue our dearest doghter styled the doughter of Scotland when scho wes married; and if ye weigh things rightlie, we and ye owe infinit thanks to God, who by that worthie doghter hes granted to ws fix children, who by the like reason may be challenged to be the grand children of Scotland, four of them being sonnes, and two doghters, so hopefull, as no royall familie in Europe hes participat the like blessing by so young parentis, whereby it hes pleased God more stronglie to vnderprop our sceptor, nor that of our forebears, in many bypast ages, besides the expectation of the continuance and encrease of that high fauour, if with humble and heartie thanks we fall wourthelie acknowledge how much we haue alreadie receiued. These, and manie other neccessarie pourposes, we intended to haue more amplie intimated to yow, by our oune mouth, your faithfull obedience and respect to ws, and your ciuile and kynd vsage of the noblemen and all other subiects of this kingdome, of whatfoeuer qualitie, who did attend ws in our last journey to Scotland, having produced effects of so great contentment to ws, and, by their report, to all this nation, as our fauour to yow wes thereby confirmed and (if it could haue receiued addition) encreased, and since that time hes fostered in our heart an earnest desire, without regaird to our panes in that long progresse, to haue seen yow this sommer. But the bands of wonted peace ar so fearfullie schaken in Christendome, and our interest in the affaires of the Palatinat, so important and pressing, that without hinderance of maters of hieft moment, we can not withdraw our prefence

from this place, of best opportunitie for all suddane occasions, and speedie resolutions and directions; but we intend to remedie that by our resort thether next fomme, God willing; and in the meantime, expect vndoubtedly, that ye will let the worlde see, that our absence from your meeting is no lat to your straining your selfis to your vttermost abilitie, for readie help of this godlie and good cause of the Palatinat, and that ye will consider that your contribution for it, can not be mesured by the reule or rate of preceeding taxations, granted neither for respects of magnificence, and schew in solemnities of mariages, baptimes, negociations, or payment of cuntrie debtes, nor for any such inevitable necessitie as the estate of warre, of religion, and recouerie of the patrimonie of our grand children, does now impose vpon yow and vs; but that, according to the condicion of the time and action, ye will liberallie and readelie extend your best helpis without protraction, which, by languering, might exceedingly disappoint the effects of your good intentions, and our most important proiects. We meane not to imploy any part of your beneuolence to any other vse; bot knowing that great numbers of our subiects there, als abundantlie endowed with zeale and courage as they ar destitute of wealth, affecte, by their personall seruice, to redresse their want of meanes for large contribution, we resolve to bestow that which ye furnish, with much more of our owne, for leueing forces in that kingdome, to serue in this good cause. All other maters concerning vs, or the good of our subiects of that our kingdome, will, by our direction, be imparted to yow be our commissioner, and by our chancelar, and other officers having our warrand to that effect, who will also, in our name, consent to any good ouuerture which shall be proponed for the publik benefite of that state, to which, and euerie one of yow, our faithfull and obedient subiects, we wish, and, with our wonted care, shall studie to purchase all happineffe.\*

[26 July 1621?]

To the right reuerend fathers in God,  
and to our trustie and welbeloued

\* This letter, which appears to be the original draught, is holograph of the Earl of Melros.



cofens and confellours, and others,  
 our right trustie and welbeloued  
 cofens, and remanent our officers  
 of estate and commiffioners for the  
 small barones and borrowes of our  
 kingdome of Scotland, conueened  
 in our parlement therof.

## CCXLIII.—EARL OF MELROS TO KING JAMES VI.

MOST SACRED SOUERANE,

WEARINES, and some pane in my eye, forced me to vse my brothers hand in the letters I wrote yesterday, of that had then past in maters concerning the parlement. Therefter, the Lords of Articles met, and efter reading your maiesties letter to the parlement, and the other two which the conuention of the nobilitie and counsell sent this winter to your maiestie; the taxation wes motioned by your commiffioner, with so ample and judicious expreffion of your maiesties infinit charges, furnished to the enterteanement of the forces of the princes of the Vnion, verie long, and of the armie commanded by Generall Vere, beside your nauie at sea, and the charges of your children and grand childrens mentenance, which enforced vndenyable necessitie of supplie; they had onlie reason to consider what difference wes in the causes and nature of this present action (the event wherof may, in worldlie appeirance, import the preferuation or ouerthrow of religion in all Europe, and the vphold or perpetuall ruine of that most auncient, famous, and princelie estate of the Palatinat), and these of former times. This proposition, strengthened by many reasons pertinentlie alledged by the Lord Chancelar, Mar, and others, faithfullie disposed to the good of the pourpose, efter long and modest reasoning, produced ane vniforme resolution, that a taxation behoued to be granted. The nixt question being of the quantitie, my lord of Santandrois alledged a precedent of King Dauids ranfom, amounting

to thrie hundreth thoufand merkis, or, as others write, an hundreth thoufand merkis, as likwayes of the fowmes payed for King James the Firft his redemption, which, confidered according to the scarcetie of moneyis in that aige, and abundance therof in all the world at this time, might informe ws how great a fowme wes now requifit, for the reafons proponed by my Lord Commiffioner. Then my Lord of Scones opinion being demanded, he roundlie told, that he had his honor, eftate, and whole fortunes of your maieftie, and would beftow them and his life in your maiefties feruice, thinking ten hundreth thoufand merkis a competent fowme, wherof he would readelie pay his part, and what farder your maieftie pleaſed to command. That ſumme being thought exorbitant, I anfuered, that my lord of Santandrois true exemples imported much more; becauſe an hundreth thoufand merkis, in King Dauids dayes, wes an hundreth thoufand merkis weght of filuer, wherof euerie merk weght being eight vneces of filuer, would amount, at thrie pund the vnice, as it now giues, to foure and tuentie hundreth thoufand punds. In end, it wes concluded, that where the greateſt taxation that euer wes before wes four hundreth thoufand merkis, payed in foure yeeres, there ſould now be giuen fourè hundreth thoufand pundis, in thrie yeeres; for it is appoynted to be payed at foure Mertimes termes, wherof the firſt will be Mertimes next, and ſo be compleit at that time thrie yeeres. The lords thought it more fit that the aēt ſould be conceiued in thir termes, that the pound land holden of your maieftie ſould pay threttie ſchillings yeerlie, and the kirk landis, and teinds, and bourrowes, the like proportion; which, in effect, is four hundreth thoufand pundis, nor that the expreſſion of the ſumme ſould informe the world of the ſmalneſſe of our meanes, when they ar racked to extremitie.

The next article wes anent the taxation of anvelrents, wherin the noueltie bred difficultie, and the intereſt the commiſſioners of burrowes, and others, ſtriēt oppoſition. But becauſe I knew much of their eftate, and of the nature of that courſe which my ſelf, amongs others, haue long exerciſed with benefit, I preafſed to detect the ſecret of their pretextes; and after great altercation, reither then reaſoning, it wes concluded that

all anelrents fould pay taxt, without immunitie of any estate or perfon. The meanes of tryel, quantitie, and termes of payment, reft to be confidered. The good fucceffe of what hes paff, makes us to hope for the like in that which reftis concerning the Churche Articles. I pray God I may haue speedie occafion to fend your maieftie contented aduertifment therof, and that he may be pleafed to bleffe and long preferue your facred perfon, and prosper your affaires. I reft

Your Maiefties moft humble, faithfull, and bund  
feruant and fubiect,

MELROS.

Edinburgh, 27 July [1621?]

To the Kings moft facred Maieftie.

CCXLIV.—EARL OF MELROS TO KING JAMES VI.

MOST SACRED SOUERANE,

MY letters of the 26 and 27 of July, haue informed your maieftie of things done at that time in parlement. Therefter the Church Articles wer allowed by the Lords of Articles with good vniformitie. Since that time, ther hes not arrifin any great controuerfie in the houle for maters of moment; the articles proponed, either being found profitable for the cuntrie, or, if they concerned particular parties, they wer lauffullie concluded, efter hearing of the parties intereffed. Onelie the taxation of the anelrents hes been much impugned by the burgefis and fome fmall barons, vpon pretexte of the harme which they may fuffer in their credit, if their debtis fall be vnneceffarlie difcouered, who haue been anfuered with cleer

and iust reafons ; but they ftill perfift in thair oppofition, albeit with more modeftie then others, who not being of the articles, and having craued permiffion to conveen, to prepaire motions to be proponed to the articles, haue converted the fauour obteaned vpon that fpecious pretexte, to a meeting of noblemen and barons, who ar reported to haue dealt fo paffionatlíe aganis the confirmation of the church articles, and the taxation of anvelrents, that your maiefties commiffioner wes forced to difcharge the abufed libertie of their affembling, and, fince that time, hes been forced to take fo continuall trauell to diffolue their combination, and, by the affiftance of all his freinds dulie affected to your maiefties feruice, to conuert them to their dutie, as hes permitted fmall time of reft or fleep to him. He inclyned to haue caufed punifh fome of the moft avowedlie malicious; but the errour being almoft popular, he wes counfelled to forbear offenfíue rigour, and to ftudie to calme and reclame them by more mylde meanes, and is in hope to preuaile fo with a number of them, that they fall either ftay and concur in your maiefties feruice, or abfente them felues, and fo do no harme. The reft who fall be found irrecouerablelie malicious, will be made knowne to your maieftie, who may and can beft judge of their merite. I can promife no farder as yet, bot good hope, with affurance of more paynes, patience, and wifdome in your maiefties commiffioner, faithfullie affifted by fome of your maiefties feruants, nor could haue been beleueed. God, who hes euer directed your maiefties iufte intentions to wifhed end, will ouercome the malice of this oppofition, to your maiefties contentment, which I pray his heavenlie Maieftie long to grant in all your royall affaires, and reft

Your Maiefties moft humble and bund feruant,

MELROS.

Edinburgh, 2 Auguft [1621 ?].

To the Kingis moft facred Maieftie.

## CCXLV.—EARL OF MELROS TO KING JAMES VI.

MOST SACRED SOUERANE,

HAVING wretin my other letter vpon the second of August in the morning, this is to rander your maiestie accompt of what is sensyne done in Articles. That day your commiffioner, at fyue a klok in the morning, began his consultation with the Archbifchop of Santandrois, Lord Carnegie, Clerk of Register, Deane of Winchester, and me, by what freinds meanes he might either reconquer the opposites who had vote in parlement, or perswade or compell them by lawfull order to be absent; and according to our joynt opinions, put all his freinds to work where their credit might best preuaile, and then entred to the articles at ten a klok, and remaining till eight at night, dispatched so manie affaires, iust of themfelues, and gracious to the people, as serued for powerfull inducements to diuers of each estate to fauour his desires for your maiesties seruice. We ar in good hope to obteane the Church Articles ratified with the ordinar taxation. Our greatest dowl is of the taxation of anvelrents, which manie abhorre as a noueltie, and a discouerie of their miserie, and ouerthrow of their credit. For preuenting of which disturbance, vpon the second at night, a meeting of the articles wes appointed to be vpon the thrid, at feuin in the morning, to consider of the best expedient, inclyn- ing reither to dispense with the extremitie, that thereby we may obteane a preparatiue of ane aide, wanting all preceeding exemple, and a diuerfion of opposition to the Church Articles (which we thinke more important nor the ods of a trifle of that subsidie), nor by insisting vpon a verie small difference in a money mater, to trouble or ouerthrow a better busines. What fall be resolued fall be speedelie subioyned to thir lynes.

Since the wryting of what preceeds, the Lords of Articles haue this morning met and peaceable concluded. Extreame diligence will be vsed to fet all men right. The event must be remitted to God, in whoes af-

sistance we confide, and beseech him to bleſſe this buſines, and all your royall deſires, and reſt

Your Maieſties moſt humble, faithfull, and obedient  
ſubieſt and ſeruant,

MELROS.

Edinburgh, 3 Auguſt 1621.

Your Maieſties commiſſioner expects that his diligence in well doing will excuſe his not wryting, which is alwayes naturell to him, and now neceſſar.

CCXLVI.—EARL OF MELROS TO KING JAMES VI.

MOST SACRED SOUERANE,

YOUR maieſties parlement of this your kingdome is this efternone happelie concluded. The church actes had oppoſition, but the well affected prevailed by ſevin and tuentie votes, albeit we wer exceedingly diſapoynted by the treacherie of ſome ſmall borrowes, who violated their promiſes, and wer recompensed by your Commiſſioners reſuſing to authoriſe their actes and ratifications. In the act of the taxation, at firſt their kythed ſome danger by the voices of lords who granted the ordinar taxation, and reſuſed the taxation of anvelrents; but my Lord Commiſſioner preaſſing them to giue anſuer directlie, that they either granted or reſuſed the act of taxation, ſince it wes onlie one act, the reſt became eſchamed to reſuſe, ſo as the oppoſites to that act wer ſcarce ten, as the Clerk of Regiſters incloſed ticket will teſtifie. Other lawes and privat actes paſt withowt contradiction. The concluſion wes by a ſpeech of your maieſties Commiſſioner, renewing the aſſurances of your maieſties conſtant fauour

to this nation, your zeale to the defense of pure religion, your earnest desire to releue your people of the burdings, to protect them from violence, to introduce all exemples and effects of pietie and justice amongs them, to increasse trade and commerce, and to exempt them from the greif of the panes of bypast transgressions of statutes imposing pecuniall panes. Which, being a most acceptable fairewell to the whole estates, wes met with the heartie wishes of all the people for your maiesties long and prosperous lyfe. I must not forget the Commissioners scharp censure of such as had abused the toleration of privat meetings of the estates, with aduertisement that the like would not heerefter be suffered. The particular accompt will be more amplie giuen by larger letters, and by the Deane of Winchester and Lord of Scone, who, so soone as the articles for the church and taxation wer ended, they went to their horse, and will relate all particulars, and euerie mans behauiour. I may trulie affirme theirs to haue been exceeding faithfull and fordwart, and that your maiesties Commissioner, by his obseruing your excellent instructions, hes effected the wishes of your faithfull seruants, and ouercome the busie malice and subtiltie of the aduersars; which I must ascryue to the happines of your royall courses, so well grounded vpon wisdome and iustice, as they can not want succeffe. I haue thoght it would be more agreable to your maiestie to know this trueth abruptlie, nor ane more exact report more flowlie; and praying for the like prosperitie in all your royall affaires, I rest

Your Maiesties most humble and most obedient  
subiect and seruand,

MELROS.

Edinburgh, 4 August 1621.

To the Kings most sacred Maiestie.

## CCXLVII.—EARL OF MELROS TO JAMES DOUGLAS.

LOVING FREIND,

I RECEIVED your packet of the second, and deliuered his maiesties letters speedelie. I can not discerne wheter the Marquis of Hamilton be more carefull and diligent in action, or slow in wryting to his maiestie: for as I know that he hes caused seek the Lord Vchiltrie in this towne, and missing him, fend for him to Salton in great haste, and in the meantime spak with the Lord Chancelar, Clerk of Register, and Aduocat, anent the commission directed by his maiestie, to be formed for tryall of his informations, and commanded the custumars to be readie to be examined at the Lord Ochiltres cuming heir, and lykwayes found, by examination of Sir Patrik Murray, that his father had made no conveyance of anie of his lands. So I suspect, that he may so neglect to write of thir things to his maiestie, that the perfite report fall, by his slewth of writing, be delayed till his owne going to court.

The Chancelar caused reade his maiesties letter to the Counsell, anent the Earle of Cathnes, and called before them Robert Monro, who insists in the perfute for his brother Lindfayes slaughter, with whoes consent, Maister Thomas Hope, who deales for the Earle of Cathnes, was called, and to him was intimated, that vnles the Earle fould find sufficient caution, for his compeirance before the 18 of September next, the commission fould be directed with all rigour; but if he found caution, he fould haue protection for all other causes, ciuill and criminall, whill he had abiddin his tryall of that slaughter. For John Auchmouties complanit, Maister Williame Chalmers, his freind and agent, was called before the Counsel, to haue giuen information to the Aduocat, who, excusing him self, and desiring that it might be requyred of Maister Auchmouties ladie, he wes



commanded to receiue his information, and giue it to his Maiesties Ad-uocat, that letters might be raied to the next meeting of the Counfell, which is appointed the 29 of this moneth.

John Stewart hes requeasted me to pray yow to cause signifie to his maiestie, that he is agried with the Countesse, of him wheirin he hes choisin reither to take losse, nor to be vnnecessarlie troublesome to his maiestie. If it fall please God, that the continowance of that happie quyetnes, which we inioy by his gracious gouernement, fall deny ws subiect of wryting this vacance, I hope my vnfrequent wryting, or not wryting at all, fall be excused. The commiffion aganis Alane Makildowie is exped to the Lord Gordon. So, wishing yow all happines, I rest

Your assured freind,

MELROS.

Edinburgh, 8 August 1621.

To my verie assured freind James  
Douglas, attending his Maiestie  
for dispatche of Scottis Affaires.

CCXLVIII.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

IN the roll of the iusticeis of peace of the shirefdome of Selkirk, laitlie fend vp to youre maiestie, youre maiestie hes bene pleasit to designne and point out the Goodeman of Harden, to be schireff of that schirefdome for the yeir to come; and he being writtin for to compeir

and accept the office vpoun him, he, inrespect of his aige, infirmitie, and feiknes, compeirit be his eldest sone, who excusit his fader as being altogidder vnmeete and vnhabie for that charge; first, be reffoun of his aige and feiknes, he being past lxxij yeires of aige; nixt, becaus he can nouthir write nor reid; and last, becaufe he is not a resident within that sherifdome, bot hes his residence and duelling in Teviotdaill. Thir being reffonis sufficient to exeme him frome that charge, we haif heirwith send vp vnto youre maiestie, the roll of the iusticeis of peace of the said schirefdome, to the effect youre maiestie may mak choise of some other persone to be schireff.

Thair wes a petitioun this day exhibite vnto youre maiesteis Counsaill, in name of Maister Alexander Simfoun and Maister Andro Duncane, ministeris, who, the tyme of the laite parliament, wer send prissonaris to the castell of Dunbartane, excuseing thame selffis anent the caufs quhairfoir thay wer committit, and humelie craving thair libertie, inrespect of thair pouirtie and want of meanes to interteny thame selffis. And althocht thay ar knowne to be bot poore men, yitt the Counsaill wald nowayes medle with thair libertie without youre maiesteis directioun and allowance. And quheneuir your maiestie salbe pleased to gif signification of your will and pleasour towards thame, ordour salbe tane with thame accordinglie. And so, praying the Almighty God to blisse youre maiestie with mony lang and happie yeiris, we rest

Youre Maiesteis most humble and obedient  
subiectis and seruitouris,

AL. CANCELL<sup>s</sup>.  
MELROS.  
W. OLIPHANT.

Edinburgh, 29 August 1621.

To the King his most sacred and  
excellent Maiestie.

## CCXLIX.—EARL OF MELROS TO JOHN MURRAY.

SIR,

THE notoriety of your kind respect to such requests as I have formerly made to you, makes my friends, who have to do instant with me, to recommend them to you, and my duty to them, permits me not to refuse it. I can not intercede for a kinder man nor the bearer hereof, my cousin, Sir John Scot, whose lawful affairs I will pray you to assist, and will assure you, ye can not oblige a more thankful man. So, wishing you all happiness, I rest

Your ever obedient friend,

MELROS.

Edinburgh, 3 October [1621 ?]

To the right worshipfull John  
Murray of Lochmaben, one of  
his Majesties Bedchamber, at  
Court.

## CCL.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOVERAINE,

THAIR was a petition exhibite this day to your majesties coun-  
saill, in the name of Maister Robert Bruce, minister, humbly craving  
relief from his present ward, for the reasons specified in his petition;  
quhilkis, in effect, are the same that he deliverit be way of answer the last

day, quhen he wes broght befor the counsell, and wardit for transcending the limites of his confyneing. And becaus the mater for quhilk he is wardit concernis youre maiesteis self, as ane offence and contempt done be him in breking of his warde without a warrand, the counsaill wald no-way medle with his enlargement and releif, without youre maiesteis directioun and allowance, bot hes heirwith fend vp his petitioun vnto your maiestie, that, after consideratioun thairof, youre maiestie may gif suche directioun thairanent as youre maiestie fall think goode; and vpoun the returne of your maiesteis will and pleafour towards him, ordour salbe tane accordinglie. And so, praying the Almightye God to blisse youre maiestie with mony lang and happie yeiris, we rest

Youre Maiesteis most humble and obedyent  
subiectis and feruitouris,

AL. CANCELL<sup>s</sup>.

MELROS.

W. OLIPHANT.

Edinburgh, 10 October 1621.

To the King his most sacred and  
excellent Maiestie.

CCLI.—THE EARL OF MELROS TO JOHN MURRAY.

SIR,

SINCE my wryting to yow vpon the 19, I haue receiued yours of the 15 and 22 of this moneth. For anfuer to both, please yow know that the counsell hes tryed the mater betuix Robert Makbrare and John Corfan, and found that a tumult being begun wher John Corfane wes, in gret passion; Robert hearing the fray, returned to pacifie it, bot that in an

throng, vpon suddantie and mistaking the harme, wes done to the parties on all fydes, which, praied be God, is not great. It appeares that some offensiue wourds, vttered not long before, had bred some vnkyndnes amongs them; and John Corfan hes bene found not to haue proceeded so dewtifulle in his office as became him, and, partlie for that respect, and partlie for Roberts satisfaction, he is committed to warde, bot will not be long deteaned. Treulie he hes not borne that respect to Robert which became him. It kythes that the towne of Drumfreis cairies their olde respect to the name of Maxuell, and that they affect the towne, and will be readie to protect them.

Before I receiued yours of the 22, I had one from my Lord Maxuell, declairing, in few wourds, that he meant not to quyte to yow the lands in question; and, hauing referred credit to his bearer, he declared, that if your owine money, giuen for these lands, might be accepted, that their might be hope of appoyntment, with excuse of his refusing to refer the mater to me.

Where yee desire to know what speaches passed betuix the Lord Maxuell and me in that mater, I remember not of anie particular, bot what I wrait to yow, from tyme to tyme, nor of anie conference with anie other theranent, except with my Lord Sanquhar and Maister Thomas Hope; bot suspect that the Lord Maxuell hes lyked the worfe of my melling, because I did not approue the long delayes of production of his writtis, which he pretended he could not find, and that he had no hope, vnles he recouered them fra the Erle of Dumbars doghter, or Sir George Home, who wer found, in end, to haue few that could ferue him, so far as I could learne, and wrait to yow; and when I told that the manie delayes wald force yow to perfew for improbation of his writtis, he said he wald not offend at it, bot wold vse all the defences law could affourd. He wrytes to me, that I know how he hes bene vfed in that mater; bot if I wer sworne in it, I could not fay bot yee had both foght him, and abiddin his laifer verie freindlie, and that your self wes disposed, and your freinds aduyfed yow, to do all that yee could to agrie the controuerfie, reither by mediation of freinds, if it could be, nor otherwayes; bot I beleue that he means that the lands being taken vpon forfaitour by the Erle of Dumbar, that

he fould not haue boght them. This is onlie my coniecture, because I can not conceiue what other complaint he hes of your vfage. I know yee will not alter your intention to do reafon in the bufines, if he be difpofed to accept it; and fo wifhes all your freinds. Maifter Thomas Hopes opinion in that mater is fullelie fignified to yow by his owne letter.

My Lord Sanquhar wrait to me of his bufines, which yee recommend. I fall do in it what I can in reafon; and fo, with my beft wifhes for happines in all your affaires, I reft

Your moft affectionat freind to be commanded,

MELROS.

Edinburgh, 28 Oct. [1621?]

I delay the clofing of the packet, till I fie what may this day be done in your Irish commiffion.

Their is none of your Irish witneffis yet come, bot Lochinvar's fone, and fo the examination will delay till we fie if others cum or no, wherof yee fall know by the nixt packet.

To the right wourfchipfull John  
Murray of Lochmaben, one  
of his Maiefties Bedchamber,  
at Court.

CCLII.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

WE reffaut your maiefteis lettre of the nyneteene of this instant, by the whilk your maieftie hes bene gratiouffie pleafit to mak

choife of ws, to haif the charge and directioun of your most weyghtie affairis occurring in this kingdome, quhairin, as with all submissiue reuerence, we acknoulege your maiesteis fauour, and the confidence your maiestie repoiseth in oure fidelitie to go far beyond ony wourthe that is in ws, and to be more then oure seruiceis can be able to deserve; so we falbe cairfull, by the vttermoſt of oure indevoiris, and in all loyall affectioun, to approve oure selfis anfuerable to your maiesteis hoipis and expectatioun, and by oure cair, diligence, and beſt reſolutionis, to gif vnto your maieſtie contentment, in this charge concredite vnto ws.

At oure meeting and conference vpoun this ſubiect, thair come three other lettres frome your maieſtie to oure handis of this ſame dait; the firſt concerning the motioun maid vnto your maieſtie, for ſupeſeiding the executioun of the act of parliament maid aganis ſuperfluous banquetting and apparrell, vpoun pretexte of the diminutioun of your maieſteis cuſtomes; the ſecund concerning the offer maid vnto your maieſtie, on behalf of the toun of Edinburgh, for thair extraordinair taxatioun vpoun the annuelrentis: and the thrid and laſt lettre towcheing the collectoris of this preſent taxatioun, quhairin your maieſtie hes declairit your will, that it ſhall not be beſtowed vpoun ony perſone, as a mater of beneſeit or rewarde for ſeruice. Off the quhilkis three miſſives, we remember that the firſt and ſecund hes beene alreddie in ſome ſoirt anfuerit; for your maieſtie haueing, by twa formair lettres of the 12 of October laſt, recommendit vnto your counſell the conſideratioun of theſe tua particularis anent the banquetting and apparrell, it wes vpoun the firſt of this moneth conſidderit in counſell, that the wyfeſt fort of the whole ſubiectis greeving vehementlie, at the vniuerſall harme proceeding of the ſuperfluitie of bothe, and eirniſtly deſiring the reſtreant thair of, reſſaued meruellous contentment quhen thay ſaw that article warranted by youre ſacred hand, whilk gaif libertie to the eſteatis of parliament to aduylſe and reſolue vpoun the moſt expedient redreſſe. Who having ſeleſted ſome of the beſt experienced of euerie eſtate to conſidder of the particularis, thair opinioun wes ſo hairtelie approued, bothe in articlis and publiſt parliament, that it wes thoght to be one of the moſt pouerfull inducementis to procure ſo free and hairtie conſent to the grite ſowme of the

ordinair taxatioun, and to gif way to the novaltie of the taxatioun of annuallrentis, thinking that the forbearance of waste vsed of befoir vpoun superfluous apparrell and banqueting, fould inable the subiectis to gif the more abundant supplee to your maiesteis affairis. And now, yf the priuat fute of couetous marcheantis, preferring thair iniust gayne to the publict benefeit, fould, by importunitie or fals suggestionis, procure the subiectis to be defraudit of the effect of that course, whilk, by your maiesteis royall fauours, wes fetled for the cuntreyis goode, it might occasioun a gittar greif to the subiectis, nor the pretendit interest of the trade, and of the customes formarlie payed to youre maiestie for goodis of that fort could counteruale; since no bipast diligence of the customaris and searcheouris could impede the craft of the marcheantis concealing of these paments of gold, siluer, and filk, and otheris small wairis of that kynd, and by tryell of the custume ressaued for all these sortis of wairis, the sowme of youre maiesteis custume being fund by ws not to exceid the sowme of ij<sup>m</sup> lib. Scottis, the commodityis whilkis may be imported with the stok, whilk wes formarlie bestowed vpoun pasmentis and other suche marchandise, will, in our opinioun, equall that quantitie of custume vsed to be payit for that, whilk is now prohibite; so as we can foirfie no preiudice to your maiestie in allowance and executioun of the act of parliament, and reiecting the marcheantis partiall fute.

And towcheing the agreement with the toun of Edinburgh, for thair taxatioun, that mater, vpoun the directioun of your maiesteis first lettre, wes satled and putt to a pointe vpoun the 22 of this instant, and we haif aggreit with thame, for fourtie thowfand pundis in satisfactioun of thair whole taxatioun, ordinair and extraordinair, to be payit at the foure termes of the taxatioun; towitt, ten thowfand pundis at euerie terme, quhilk sowme being conferrit with the ordinair taxatioun of the said burgh, extending to foure thowfand, sevin hundreth lxxxxj lib. termelie, will amount to more nor the double of the said ordinair, and will anfuer in proportion to a stok of aboue aughtene hundreth thousand merkis, whilk is more, nor in oure opinioun, wald haif come to light within the said burgh.

And towcheing your maiesteis last lettre, for the collectorie of the taxatioun, your maiestie hes alreddy maid choise of the Erle of Mar for that



charge, whose patent is expd youre preuie feale, and he is to supplee that seruice freelie, without ony fee for his trauellis. The nominatioun of the vnder collectouris, who ar to be employed to charge for the taxatioun, apperteyneth to the principall collectour, seeing he must be ansuerable for thame, and he hes employed nane, bot these that wer employed in the preceding taxationis, and vpoun these same conditionis and allowanceis, to witt, xijd of the pund ; quhairof, yf, after confideratioun and heiring of the comptis, ony defeafance salbe thoght necessair to be maid, and that ony superplus shall appeir to aryse, the same shall accrefce vnto your maiestie ; and we salbe verie circomespect and cairfull, that, at the making of the saidis comptis, no vnnecessair, idill, nor superfluous allowanceis salbe admittit.

This being the effect and substance of oure proceedingis in thir three particularis, we humelie present the same to youre maiesteis confideratioun, and will humelie beseeche your maiestie to accept the same in goode pairt, as proceeding frome suche groundis and warrandis as, in oure opinioun, tendis most to your maiesteis honnour and benefeit, and weele of the cuntrey. And so, praying the Almightye God to wathe ouer youre sacred persone, and to blisse your maiesteis reignn with the continewance of mony lang and happie yeiris, we rest for ever

Your Maiesteis most humble and obedyent  
subiectis and seruitouris,

AL. CANCELLS.  
MELROS.  
A. MAR.  
SANCTANDREWS.  
LAUDERDAILL.

MORTON.  
NITHISDAILL.  
CARNEGIE.  
W. OLIPHANT.  
GEORGE HAY.

Edinburgh, 29 Nouember 1621.

To the King his most sacred and  
excellent Maiestie.

## CCLIII.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

**MOST SACRED SOUERANE,**

**AT** ane meeting and conference whilk we had this day, anent youre maieftis rentis, thair wes ane propositioun maid vnto ws, in name of the citie of Glasgu, that thay might be hard to mak ane offer for the taxation of the annuelrentis within that citie; and it is lyke aneugh that some otheris townis, following the example of Edinburgh, will tak this same course. In whilk pointe, becaus we had not commiffioun nor warrant frome youre maiestie to deale, we forboore to medle thairwith, and we haif delayit the geving answer thairvnto, till we understand youre maieftis awne will and pleasour thairanent, whilk we will humelie beseeke youre maiestie to returne vnto ws at youre maieftis best oportunitie; and yf youre maiestie falbe pleased to allow of this course to be tane with Glasgu, and with suche otheris townis as fall mak suite for the lyke, we falbe verie circomespect and cairfull so to deale thairin as falbe most for youre maieftis commoditie and proffeit. And so, continewing our humble and eirnist prayeris vnto God for youre maieftis lang and happie reigne, we rest

Your Maieftis most humble and obedyent  
subiectis and seruitouris,

AL. CANCELLS.

A. MAR.

NITHSDAILL.

MELROS.

LAUDERDAILL.

CARNEGIE.

J. HAMILTON.

W. OLIPHANT.

GEORGE HAY.

Edinburgh, the fixt of December 1621.

To the King his most sacred and  
excellent Maiestie.

## CCLIV.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

WE reffaued youre maieftie's lettre, with the petitioun preferrit vnto youre maieftie, be Robert Monteith of Eglifhaw, towcheing the offer maid be him to your maieftie, for a leafe of your maieftie's rentis and cafualtyis of Orknay and Yetland, for fome certane yeiris, and we haif lykewayes hard him felf, and hes conferrit with him vpoun this fubiect, wherby we perfaue that the reffoun pretendit be him for making fuite, is groundit vpoun ane debt of fourty thowfand pundis, alledgeit awand to him be the laite Erle of Orknay, whilk he offeris to difcharge to youre maieftie, and with that to gif vnto your maieftie fourty thowfand merkis of free rent be yeir; wherin, althoght fome shoue of reffoun wald appeir for preferring of him to this fuite, yitt thair is findrie circomeftanceis concurring thairwith, and depending thairon, alfweele importing your maieftie's proffit as the goode of the cuntry, whilkis, being weele confiderit, will require a choife to be maid of fome other perfone. For firft, refpect muft be had to the qualitie of the perfone that falbe preferrit, that no juft exceptioun be tane aganis him be the cuntry people, vpoun occafion of ony jarris or discontentmentis betuix thame, becaus he muft be your maieftie's fchireff and judge of the cuntry, and in that refpect wald be free of fuche quarellis and contrauerfes, that, vnder the fhadow of youre maieftie's auctoritie, he corrupt not judgement, nor abuse your maieftie's auctoritie to his awne priuat endis; and of this point we knowe the faid Robert can not cleir him felf. And anent the debt acclaimed be him, the natur of that debt, and vpoun quhat ground he hes buildit and fett vp this grite fowme, hes not bene examined be ws. It appeiris, be his difcourfe, that the moft pairt hes growne vpoun ciuile actionis of fpoolyee, eiection, violent proffit, and contrauentionis recouerit aganis the faid erle: and we ar in goode hoip that, after dew tryall and examinatioun of the particulars, we fhall bring this mafse of money to ane lower end. Sua, that, in oure opinioun, thair is no reafoun, vpoun pretext of this debt, to gif him

ony defalcation of your maiesteis dewitie, bot to remitt him to the course of law, wherin he may expect iustice accordinglie. And yf your maiestie fall tak the payment of this debt vpoun yow, the example thair of will draw vpoun your maiestie the burdyne of ane infinite number of otheris debtis of this kynd, more dew to be payit nor his. The last point to be considerit is your maiesteis commoditie, quhairin thair is ane offer of fourtie fyve thousand merkis maid vnto ws, in name of Sir Johnne Buquhannane, whilk offer, conjoyned with the honnour and dispositioun of the man, who is knowne to be peaceable disposit, and weele loued in the cuntrey, and who wilbe affistid with the hairty wises of all the cuntrey people to haif him designit for this place, makis ws rather inclyne to him nor the other; and the rather becaus he is responfall, and offeris goode caution for yeirlye payment of his dewitie, and to accept his tak with conditioun of clausses irritant. Bot heirin submitting our selffis to your maiesteis awne pleafour, quhairunto we shall conforme our selffis; and, in the meantyme, quhill the retorne thair of, whilk we humelie wishe to be so soone as your maiesteis more weyghtie adoys will permitt, we fall not be negligent to draw this rent and dewitie, als far heighair as possibillie we may. We pray God to watche ouer your sacred persone, and to blisse youre maiestie with mony lang and happie yeiris, and we rest for euer

Your Maiesteis most humble and obedient  
subiectis and seruitouris,

AL. CANCELLS.  
MELROS.  
A. MAR.  
GEORGE HAY.  
W. OLIPHANT.

Edinburgh, xij December 1621.

To the King his most sacred and excellent  
Maiestie.

## CCLV.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

THAIR wes ane signatour vnder your maiesteis hand presented to be exped be ws, contening a gift of pensoun of three thowfand and six hundreth pundis Scottis to the Lord Kinclevin, his airis, and assignayis, with speciall assignatioun, to be payit oute of your maiesteis rentis of Orknay and Zetland; whairin, althoght we acknouledge your maiesteis fauour and bontie to that nobilman, whilk we ar verie willing to further, so far as the credite and dewitie of oure placeis will allow; yitt, we mon crave permissioun humelie to present vnto youre maiestie oure simple opinionis concerning this signatour in the forme and tennour as it is confaued and drawne vp. And first, it can not stand with forme nor ordour, nather can it be warrandit by custome or example, that pensounis falbe gifted indefinitlie without limit or terme, to airis and assignayis, and no precedent can be showne in the lyke caise, whairupoun ony warrand may be pretendit for this signatour: nixt, it is not expedyent that assignationis falbe gevin oute of your maiesteis propirtie; and most vnfitt, for mony considerationis, that your maiesteis propirtie of Orknay and Zetland falbe burdynnit that way, becaus the consequence and example thairof in the generall may produce mutche harme, and in proces of tyme will draw your maiesteis annext propirtie to a verie small accompt; and yf way falbe gevin vnto thame, your maiestie wilbe continuallie impefhed for grantis of that kynd, and your maiesteis whole propirtie, whairupoun the burdyne of the affairis and estate of this kingdome dependis, wilbe eatin vp, and yf ony intervening occasioun, importing your maiestie in honnour and credite, shall occur heir, all laughfull and ordinair meanis to advance the fame wilbe cutt of. And thairfoir, seeing youre maiestie is gratiouflic disposit to benefeit that nobilman with a pensoun, oure humble aduise vnto youre maiestie is, that he haif it to him selff for a limit and sett tyme,

to be payit oute of youre maiesteis rentis and casualityis, without ony particulier assignatioun for his payment; and, in so doing, the ordour and natur of fuche giftis wilbe preferuit, and the nobilman may expect als fauourable payment as the importance of your maiesteis weyghtie affairis will permitt. And so, humelie craving your maiesteis pardoun for this oure presumptioun, being drawne thairinto for discharge of oure dewyteis in the credite and truist your maiestie repois in ws, we pray God to blisse your maiestie with a lang and happie reigne, and restis

Youre Maiesteis most humble and obedient  
subiectis and feruitouris,

AL. CANCELL<sup>s</sup>.  
MELROS.  
A. MAR.  
GEORGE HAY.  
W. OLIPHANT.

Edinburgh, 13 December 1621.

To the King his most sacred and  
excellent Maiestie.

CCLVI.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

WE reffaued youre maiesteis lettre, by the whilk youre maiestie hes recommendit vnto ws the tryeing and pvnisheing of fuche personis, who, contrarie to youre maiesteis lawis, hes transportit gold and filuer furthe of this kingdome, by imposing of fynes and penaltyis vpoun thame, ansuerable to the natur and qualitie of thair offenses; quhilkis fynes youre maiestie, by the tennour of the said lettre, hes bestowit vpoun Sir George

Bruce, and hes ordanit ane signatour to be exped to him thairupoun. As we ackowlege, with all deu respect, youre maiesteis fauouris to that gentleman, whose mony goode seruiceis done to youre maiestie, and whose generous dispositioun and constant resolutioun in the prosequitioun and following oute of mony worthie and profitablie workis in this kingdome, hes deserued some toikine of youre maiesties princelie remembrance, wherunto we falbe so far assisting, as the credite and dewitie of oure placeis will allow; yitt, the trust that youre maiestie hes repoised of youre affairs in ws, oblißes ws to foirsee youre maiestie with the inconuenientis that we find in the forme and nature of the signatour, as it is generallie ordanit to be exped; not that we will thairby prefoome to interrupt the course of youre maiesteis fauour to that gentleman, bot that we may vindicat oure selffis frome the imputatioun of vndeutifull seruandis, in not opposing aganis formes whilkis ar not allowable in youre maiesteis exchequer. For it can not stand with the order of the exchequer, that giftis or assignationis of youre maiesteis casualtyis falbe past in this kynd, seeing thairby not onlie will grite confusioun aryise in the office of thesaurarie, bot a way wilbe oppynnit to mony importune suitaris to impeshe youre maiestie with thair petitionis of this kynd, and swa, in proces of tyme, the office of thesaurarie wilbe so rent and dismemberit, as it will become ane office onlie in name and shewe, without mater or substance. We mon confes, that the transporte of moneyis hes beene, and is too frequent and cominoun in this kingdome; bot the shiftis and subtiltyis of the marcheantis to frustrat and disapoint the discouerie ar sa mony, and so difficle to be obuiai, as hardlie can the abuse be repress or pvnish: And for remeid heirow, we ar to tak this course, that we will imploy the said Sir George, and imploy his meanes and help for discouerie of the offenderis; and we ar in goode hoip that his cair and diligence, conioyned with the expectatioun of gayne, falbe be ane grite furtherance and advancement of the bußynes, quhairin we fall so far proceed aganis the delinquentis, bothe by imposing of fynes, and pvnisheing of thame in thair personis, as the course of justice will allow; and quhat fall aryise to youre maiestie thairupoun, youre maiestie may dispoise vpoun the same, in whole or in part, to the said Sir George, as youre maiestie shall think goode.

And quhairas it is liklie that some townis will mak offer to compone in groffe for thair townis, without bringing of the offendaris to a publiēt tryall, we wald humelie knowe youre maiesteis will and pleasour, yf we fhall aggree with thame in this kynd; quhairof lookeing to be aduerteist be youre maiestie, how foone youre maiesteis more weyghtie affairis will permitt, we most humelie tak our leeve, with our eirnist prayers vnto God for the long continewance of youre maiesteis bliffed reigne over ws, and we rest for ever

Your Maiesteis most humble and obedyent  
subiectis and feruitouris,

AL. CANCELL<sup>s</sup>.  
MELROS.  
A. MAR.

GEORGE HAY.  
W. OLIPHANT.

Edinburgh, 20 December 1621.

To the King his most sacred and  
excellent Maiestie.

CCLVII.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

THAIR wes this day a petitioun gevin to youre maiesteis counsaill, be Maister Robert Bruce, humelie craving some ease and releiff in that directioun, and charge gevin to him for his confyneing within the burgh of Inuernes, in respect of the indispositioun and inhabilitie of his persone, and of his grit aige and infirmiteis, quhilkis are incident to aige, quhair-with, as he alledgeis, he is so far worne, and become so feeble and waik, as hardlie may he travell ony quhair; and he offeris to be confynned in his awne houe, and twa myllis aboute the same, and never to transcend the boundis thair of, without youre maiesteis warrand, as more particularlie



your maiestie will persave, be his petitioun, whilk we haif heirwith fend vnto your maiestie. Bot becaus the directioun and warrand for his confyneing in Inuernes, proceidit frome your maiestie, we wald not prefoome to medle thairwith, without your maiesteis allowance. Onlie this far, we ar to showe vnto your maiestie, that, be the sight we had of him these twa dayis he wes broght befor the counsell, we knowe him to be a far decayed and worne man, not able, by probable coniectour and appeirance, to live lang; and we ar credibillie informed that his worldlie estate is verie waik, althocht he hes concealed the same in his petitioun, and that he hes nane of his awne to tak the charge thair of; swa that his confyneing so far frome his awne house, and frome attendance on his awne affairis, will altogidder vndoe him. We write not this as ane motiue and argument to pleade for fauour vnto him, bot onlie to latt your maiestie knowe quhat we apprehend anent the dispositioun of his persone, and quhat we heir anent his wardlie estate and fortunis. Remitting the consideratioun, bothe of the one and the other, to your maiesteis most pious, grave, and princelie resolutioun, whilk your maiestie wilbe pleased to caus be returnit vnto ws, quhen the importance of your maiesteis more weyghtie affairis may afford the occasioun. And so, with our vnceffant prayeris vnto God for your maiesties lang lyffe, happie reigne, and prosperous estate, we rest

Your Maiesteis most humble and obedient  
subiectis and seruitouris,

AL. CANCELL<sup>s</sup>.  
MELROS.  
ABERDENE.  
LAUDERDAILL.  
AL. ELPHINSTON.

WEMIS.  
GEORGE HAY.  
W. OLIPHANT.  
R. COKBURNE.  
ARCHIBALD NAPER.

Edinburgh, 22 Januair 1622.

To the King his most sacred and  
excellent Maiestie.

## CCLVIII.—EARL OF MELROS TO KING JAMES VI.

MOST SACRED SOUERANE,

VNDERSTANDING, by my Lord Chancelar, that the Earle of Kellie, by his letter, had signified to him, that it wes your royall pleafour, that I fould aduertife what order wes prescriued for the timelie and convenient searck of pearles in this kingdome, with the effects thair of. For obedience of your maiesties commandement, by the letter first sent to me for that pourpose, I conferred with the Lord Chancelar and Aduocat, and by their aduice and concurrence, directed commiffions to Sir Robert Gordon, and, in his absense, to his brother Sir Alexander, for Sutherland; to the Lord of Kintail, for the waters in Rofs; and to Mr Patrik Maitland of Auchincreif, for the waters of Eythen, and others within the schirefdome of Aberden: with power to Maister Patrik Maitland to receiue all the pearle that fould be found to youre maiesties vse, geuing due fatiffaction to the takers therof. I haue not hard of the effects of Sir Alexander Gordons diligence, but haue of new remembred him, by letter, of your maiesties direction, and his owne dutie. I haue spoken with the Lord Kintail, in this towne, who sayes he hes not hard of any pearle taken, fence his commiffion, in the waters of Rofs. Maister Patrik Maitland perfewed some men of Aberdene, before the counsell, for thair vnlauffull buyeing of pearles, since the proclamation; who compeiring, some confessed a small quantitie of pearle of no valew, the rest, being sworne and examined, denied. Order wes taken with the contravenars, and they acted vnder great panes to absteane from that trade; and the proclamation commanded to be of new published, to restraine the abuse of vnlauffull buyeing. I am informed that their are findrie other riuers in this kingdome where pearles ar found; as the water of Forth, the waters of Cart beside Paislay, and some waters in Galloway; but I heare not of any pearles of wourth found thairin, except verie rarelie. If it please

your maiestie to make choice of any dwelling in those cuntries, to take charge of the riuers, commiſſions ſhall be giuen as they ſhall be directed. So, prayeing God long and graciouſlie to preferue your maieſtie, the pearle of kings, I reſt

Your ſacred Maieſties moſt humble and faithfull  
ſubiect and bund ſeruant,

MELROS.

Edinburgh, penult of Januar 1622.

The ſchip of Oſtend, which wes at Monrofs, hes been rencountred at ſea be a waghter of the eſtates, and ſo miſerablie beaten, that ſcho wes to flie to Stanehyue, vnable to be repaired for vſe or ſeruiſe, as we heare.

Laſt of Januar 1622.

To the Kings moſt ſacred Maieſtie.

CCLIX.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

HAVEING by oure formar lettre, of the laſt of Junij, preſented vnto youre maieſtie, oure opinioun, concerning the tua remiſſionis ſigned be your maieſtie, and deſyrit to be exped be ws; the one in fauouris of Sir James M'Donald, and the other in fauouris of M'Rannald, with the reſſonis moueing ws to ſuperſeid the paſſing of the ſame, till we ſould vnderſtand forder of youre maieſteis pleaſour thairanent: We knowe,

that the importance of youre maiesteis more weyghtie affairis, hes not offerit the occasioun vnto your maiestie, to retorne vnto ws your anfuerthairanent; and now we vnderstand, that M'Rannald is come to this cuntrey, leaneing to a protectioun grantit be youre maiestie to him, vnder your hand and signett, and without ony directioun or warrand for taking ordour with him anent his futur obedyence and quietnes; quhairin, althocht we will eshew to be curious, towcheing the particularis of youre maiesteis purpois in that mater, yitt the truste that youre maiestie hes repoised of youre affairis in ws, oblißes ws, in dewtie and alledgeance, to present vnto youre maiestie oure simple opinionis, concerning that man, whose bipast lyffe and conuersatioun hes bene so lewde and violent in bloode, thift, reafe, and oppreßioun, that to this hour he never randerit obedyence, and he wes not only the contryvair and plottair of the said Sir James his eschapp and brek of warde, bot a principall actor in the rebelloun that followit thairupoun, the suppreßing quhair of wes so chargeable vnto youre maiestie, and troublesome to the cuntrie; and we can expect no thing frome him in tyme comeing, bot a constant continewance in the villanyis, quhairin he hes bene brought vp, and hes spent the rest of his vnhappie lyffe. And whereas now the whole Ilis and Continent nixt adiacent, ar in a maner reduceit to obedienc, and no publict diffobedyence profest, bot be Allane M'Eandny, fader in law to this manis eldest sone, youre maiestie may confidder, how far others lymmaris, wickedlie disposit, and not yitt fullie fatled in obedienc, may be encourageit, vpoun the example of this man, and hoip of impvntie, to offend: and yf he, with the other lymmair M'Eandny, fall joyne togidder, according to thair wounted maner, as appeirandlie thay will do, nomberis of insolent personis, who now lurkis, and ar quyet, will brek lowfe and follow thair fortounis, quhairvpoun griter difordour and vnquietnes will aryise, nor wilbe weele gottin fatled. The confideratioun quhair of, conjoyned with the example and consequence depending thairon, hes enforced ws, oute of that dewtie quhilk we owe vnto youre maiestie, most humelie and submissiuelie, to shoue vnto youre maiestie, quhat we apprehend concerning this particulair, quhairin we haif no other respect nor confideratioun, bot the peace and quietnes of the cuntrey. And yf youre maiestie falbe

pleased to fend vnto ws, ony directioun concerning this man, we falbe cairfull to see the fame execute accordinglie : And so, praying the Almightye God to watche ouer youre sacred perfone, and to blisse youre maiestie with mony lang and happie yeiris, we rest

Your Maiesteis most humble and obedient  
subiectis and feruitouris,

AL. CANCELL<sup>s</sup>.

MELROS.

A. MAR.

GEORGE HAY.

Halirudhous, xxi of Merche 1622.

To the King his most sacred and  
excellent Maiestie.

CCLX.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

WHEREAS youre maiestie wes pleasit, tua yeiris fyne or thairby, to recommend vnto ws the fatling and remoueing, by ane amicable forme and maner, the deadlie feade standing betuix the Lairdis of Cultmalundie and Monyvaird, and thair freindis, vpoun occasioun of the slaughter of the Laird of Monyvaird, and to move the pairtie greeued, to accept of suche offeris, as the offendaris might reafounable performe; we accordingly write for sa mony of the freindis, as we knew to haif cheif intereffe in that mater, and vsed the best meanes we could, to haif broght the fame to some freindlie dresse; bot that dyet being cassin of, vpoun alledgeance that some of the speciall freindis wer omittit and not writtin for, we appointit a new dyet, and write for the whole freindis that wer gevin vp, who returnit thair answer to ws in write vnder thair handis, that thay

could not medle in that mater, nor tak burdyne for Monyvaird, who is the principall pairty haueand intereffe, in respect of his minoritie: whair-upoun the mater defertit, and we could go no forder thairin. At this secund dyet, Cultmalundie, eldair, exhibite befoir ws offeris in write vnder his hand, maid to the pairtie, contening the fowme of ane thowfand crownes for the affythement of that slaughter, with the banishment of Alexander Bruce, his sone, and George Tyre, messinger, who wer alledgeit to be the actuall slayaris of Monyvaird, during youre maiesteis pleasour; and at that same tyme, we caufit him gif satisfactioun to Duncane Campbell and David Malloche, who wer deadlie hurte quhen Monyvaird wes slayne, by payment making to thame of tua thowfand pundis, quhairupoun thay haif gevin ane discharge of thair intereffe in that mater, as the fame, produceit befoir ws, bearis. This feade hes altogidder vndone auld Cultmalundie, for his estate is exhaustit and wrackit, and he is become verie waik of his iudgement and vnderstanding, by the greif that thir troublis hes broght vpoun him, whilkis wer the occasioun of his wyffis deathe, and of the exyle and banishment of his fones and freindes now be the space of foure yeiris; in the whilk exyle, tua of his freindis, of goode rank and qualitie, hes depairtit this lyffe. This being the effect of oure dealing in this buffynes, we haif beene intreated be the pairtie, humelie to present the same to youre maiesteis consideratioun. And so, continewing oure vncessant prayers vnto God for youre maiesteis lang and happie reigne, we rest

Your Maiesties most humble and obedient  
subiectis and seruitouris,

AL. CANCELLS.  
MELROS.  
A. MAR.  
GEORGE HAY.

Halirudhous, xxi of Marche 1622.

To the King his most sacred and  
excellent Maieftie.

CCLXI.—THE NAMES OF THESE QUHA AR DECLAIRIT FUGITIUES FRA THE JUSTICE COURT, HALDIN AT DRUMFREIS, THE XXI, XXIJ, AND XXIIJ DAYES OF MAYE, 1622 YEIRIS.

James Johnstoun of Lochhous.  
 Robert Grahame, his feruitour.  
 James Douglas, his feruitour.  
 James Johnstoun in Croftheids.  
 James Johnstoun, called of Braikinfyde.  
 Williame Achefoun of Powcornall.  
 Jaffray Irwing of Robgill.  
 Christopher Irwing, his foun.  
 Alexander Irwing in Boydkin.  
 Thomas Taggart in Chappellknow.  
 Johne Irwing, *alias* Lyttill Boy, in Stapletoun.  
 Gib Irwing, *alias* Gib of Langfyde.  
 Margaret Armestrange, callit the Wairding.  
 Thomas Armestrange, hir foune.  
 Archbald Lyttle, sometyme at Quhytliefyde.  
 Richat Irwing of Wodhous.  
 Williame Makcaige in Porterstoun.  
 Edwart Johnstoun in Siefeld.  
 Geordie Armestrange, callit Airchies Geordie.  
 Williame Robfoun in Hoilhous.

THE NAMES OF THESE THAT PAST TO ANE ASSYSE AND CLENGIT.

Mathow Littill in Newlandis.  
 Alexander and John Littillis, his founes.  
 Willie Armestrange, callit Pavunes Willie.

Thomas Lyttell in Barklaes.

Syme Armeſtrange, callit Qwhythauche.

Hector Elliot in Rig.

George Colhart, feruitour to Jaffray Irwing.

Ritchie Irwing, callit Gawins Ritchie.

George and Williame Litfters, bretheren, in Wyſbie.

Johne Achefoune in Coryphen.

Thomas Lyttell in Dowglen.

#### THE NAMES OF THE PERSONIS CONVICT.

Johne Armeſtrange, called Bauld Jock, executt.

Adame Henrye in Logane, feruitour to Captane James Johnſtoun of Lochhous, executt for thiftis committit ather with his maifter, or be his directioun.

Gilbert and George Irwingis, bretheren, callit Quhytclocks, execut.

Walter Littell in Bombie, execut.

Thomas Moffat in Hietas, execut.

Adame Mairtene, foune to Robert Mairtene in Logane, convict for ane pair of doore bandis of iroun, and ſome furlot of victuall, referueit without dome, till we be advyſeit with the Lordis of Counfall.

Thomas Warrick in Pottum, convict of tua nolt, perteyning to ane Ingliche man, quho wantit four: the nature of his convictioun being, that he, haueing put the ſaid nolt in graſſing to ane other, the nolt challegit be the Ingliſcheman into the other manis aucht, quho had thame in graſſing, callit Archie Lyttell; Lyttell renderis the nolt to Warrick agane; and quhen the Ingliſhman comes to ſpeir for the gudes at Lyttle, quher he challengeit thame firſt, Lyttill gois with him to Warrick, quho denyes the ſaid guides; ſua the queſtioun ſtanding debaittable betuixt the ſaid Lyttle and Warrick, both paſſing to ane aſſyſe, Warrick being convict, we think hard to giue dome of lyfe vpoun him, fence it is not cleir, but be preſumptionis, that theſe was truelie the Ingliſhmanis guidis, quhilk he reſſaueit bak agane, or gae for graſſing to Lyttell; hes ordaneit him, of the red-



dieft of his gudes, to repaye the Inglishman his nolt; hes kept him in pryffoun, and continueit dome, till we be farther advyfeit with the Lordis of Counfall.

To the richt worshipfull my most respected  
and speciall gude freind, Maifter Murraye  
of Lochmaebene, one of his Majesteis Bed-  
chalmer, These.

## CCLXII.—EARL OF MELROS TO JOHN MURRAY.

SIR,

His maiesteis gracious respect to my humble fute for Maifter Thomas Henderfon, after innumerable other preceeding great benefites, do so far exceed my seruice, eurie way defectiue but in fidelitie, that I can rander no thing therfor but my feruent prayers, which I daylie make to God, for his long and prosperous life and estate, and request yow to frie me from reproach of foule ingratitude, by presenting to his maiestie most humble thanks, in my name, for that, and all other his infinit royall fauours to me. My former recommendations for the lords Carnegie and Durie fand grace in his maiesties eyes, and their behauour hes giuen, and I hope fall giue, such contentment to his people, in thair charge, as fall procure from their heartes true praifes to his maiestie, and thanks to God for his care of iustice to be ministred to them. Maifter Thomas Henderfons learning and carriage in the commiffariat, and faithfulneffe in his bypast seruice to his maiestie, promifes continowance and encrease of his honest endeouours in this more eminent place,\* wherin he fall haue my best counfels and encouragements. So, beseeching God to prolong

\* Sir Thomas Henderson was admitted a Lord of Session 6th June 1622, in place of Sir Lewis Craig.

his maiesties health and life, and accomplish his royall desires, I with yow  
all happineffe, and rest

Your oblised freind to be commanded,

MELROS.

Edinburgh, 28 May [1622?]

To the right worshipfull John Murray  
of Lochmaben, one of his Maiesties  
Bedchamber, at Court.

CCLXIII.—EARL OF MELROS TO JOHN MURRAY.

SIR,

By my letters of the fixt, I declared the estate of youre owne  
affaires, and of my lord Chancelars sickeneffe, which God hes turned to  
the best, and giuen so good beginning to his health, as I hope letters,  
wretin with his owne hand, to the earle of Kellie, fall accompanie this  
packet, and declare that his paine is ended, and no trouble remaines but  
weakenesse efter a dangerous diseafe, albeit it hes beene of short con-  
tinouance, praised be God. I know his maiestie will be glade to heare  
from yow, that so auncient and worthie a seruant is yet able to liue, and  
continow in his wonted good affection, to do his maiestie faithfull and  
profitable seruice. So, having no other subiect of writing at this time, I  
commit yow to God, and rest

Your oblised and euer obedient freind,

MELROS.

Edinburgh, 10 June [1622?]

To the right worshipfull Maister Murray  
of Lochmaben, one of his Maiesties  
Bedchamber, at Court.

## CCLXIV.—EARL OF MELROS TO JOHN MURRAY.

SIR,

BEFORE the packet go, I expect the Earle of Mars returne from Alloua, and then fall resolute and aduertise yow of your affaires with him, and returne your letter.

Drumlanrick, vsing caption aganis Wamphraes brother, fought concurrence of young Lag, as one of your deputies, who, offering his assistance, fand no obedience. The howse of Wamphra is belawed, and commission giuen by the counsell to Lag, to vse his maiesties autoritie; and for notifying your power, and these whom ye haue appointed, I haue caused direct from the counsell, publication of your place in the commission, and names of these whom ye haue deputed.

I wrote with regret of my lord Chancelars dangerous sicknesse, and thereafter, by information of his seruants, wrote, by my last, of better hope of his recouerie, wherof there is now so litle appearance, in the judgement of his physicians, as we haue all conceiued grief for the danger of his life, wherof ye shall know more before this letter close. By my first vpon this subiect, ye knew that I wes so farre from blind ambition, as I wished his maiestie might vnderstand by yow, how vnable I wes to susteine the burdening I will beare, during the vacancie of that place. I haue striven to discharge that wherewith his maiestie wes graciously pleased to honor me, and will still endeavour my self to continow so long as God giueth me strength; but the imposing of farder would ouerburdening me, and therefore I humbly wish, that, if my lord Chancelars disease overcome him, vpon knowledge therof, his maiestie may make choice of any whom he, in his excellent wisdom, judges most fit for that great place, to whom I may giue my faithfull and readie concurrence, and be exoner'd of that overcharge, which will oppresse me, whill some worthy officer be settled by his maiestie in that place. Since the writing of what preceedis, I visited my lord Chancellor, who remembered our long coniunction in his maiesties

feruice, and our ancient acquentance and freindship, which he desired me to remember in the lawfull affaires of his ladie, children, and freinds, which I promised, and fall, God willing, performe. He is extreamlie weakned, and in small hope of recouerie, which is heavelie regrated be many of all estates. The earle of Mar is now come, and, by conference, hes assured me, that he fall readelie renunce all right, he or his sonne can pretend to any land of yours, wherof I likewayes spake with Mr Th. Hope for the furetie, and fall sie things perfited before farder be done in the action; and so I returne heirwith your letter, as ye desired, and wishing yow all happines, I rest

Your faithfull, affectionat, and  
obedient freind,

MELROS.

Edinburgh, 13 June [1622?]

To the right worshipfull John Murray  
of Lochmaben, one of his Maiesties  
Bedchamber, at Court.

I know ye will be glade to heare, that thair is newes come to me of better hope of my lord Chancelars recouerie, which I pray God encrease.

CCLXV.—EARL OF MELROS TO KING JAMES VI.

MOST SACRED SOUERAIGNE,

YOUR maiesties letter, commanding Dunkerker, being in the herbrie or roade of Leith, to be vsed as subiects of a prince, in freindship with your maiestie, and to be furnished of necessaries for themselues or their shippes, at reasonable rates, wes presented to your counsell, vpon the el-

leuint of this moneth, and affurance giuen to the bearer and capten of the ship, that, behauing themfelues peaceable, they fould be no worfe vfed nor your maiesties owne fubiects. Commandement wes then giuen to the proueft and bailies of this towne, that they and their water bailie in Leith, fould fie your maiesties will in that bufines fullie accomplished. The ship lay in the roade, and the fouldiours repaired to land as they pleased, till Wednisday at night, that two Holland waughters arriued, and fand a pinage of theirs neere the Dunkerker, who, about one in the morning, affailed the Dunkerker, who made good refistance, and first repulfed them from bourding, and thereafter by the fpace of two houres, interchanged a great number of fhot on either fide, and many wounded. Before foure, fome of the Dunkerkers, who were a land, and faw what had hapned, came and aduertifed me that the combat wes onlie furceafed, becaufe the ebbing fea had broght all the fhippes on ground, who, fo foone as the water fould rife, would renew their combat, which they prayed me to prevent. My Lord Chancelar and Thefaurar being abfent, I made speedie warning to the fmall number of counfellors being in towne, to conueene, and directed the proueft and bailies to come before them, and likewayes fent for the conftable of the caftell and admirall depute. Meeting first with the magiftrates, I directed them to warne their citizens to be in armes, readie to marche whether the counfell fould command them for your maiesties feruice, and commanded the conftable to haue the cannoners, with ordonance, and all neceffarie furniture, readie to be employed in your feruice, by the counfell: Who, conueening, fent a charge with the water bailie, with ane herald and trumpetour, to command both parties, in your maiesties name, to keepe your peace, and forbear inuafion one of another, vpon the land or narrow waters, and that each ship fould fend a principall man to the counfell. Which being obeyed, I told the Hollanders, in your maieftie and your counfels name, that great offence wes taken at their prefumption, to trouble any man, being fubiect of a prince in amitie with your maieftie, in the veriemouth of the principall her-brie of this your kingdome, they of all others being moft bund in humble refpect to the effects of your royall fauour to them, notour to all the world.

They excused the mater, compleaning that the Dunkerker had, within your maiesties waters, assailed and forced their cuntrie shippes, killed of their men, and had deteaned a number of prifoners, whom, they requiring to be rendered, the others refufall to do them reason, had made them to repaire violent injurie by lafull inuasion, and desired that the counsell might cause the Dunkerker restore their men. I answered, that your maiestie wes freind to both, but that your counsell wer not to be arbiters of their controuerfies, but freindlie receiuers of both parties, who shoud behaue them selues peceable, and of new commanded them to forbear all violence to their aduersars in this cuntrie, or your maiesties narrow waters: and thereafter, calling for the Dunkerker, told him of the Hollanders complaint and wrong done by him, on your maiesties coast, which he denied, affirming that what he had done wes in the rowme seas. We proponed the restitution of the prifoners, which he excused; but both promised to keepe your maiesties peace. The Dunkerker desired permission to enter the herbrie of Leith, which wes granted, and I think the others will do the like. The admirall depute wes directed to try what the seamen at Leith could performe, if we had found any of the strangers disobedient. He reported that they were altogether vnable, and saw no way to force them to obedience, but by bringing ordonance from the castell to the shoare, to ding them so long as they shoud be within shot. If they fall keep promise of obedience, we will be releued of that difficultie at this time; but I will humblie beseech your maiestie to consider and direct what course, your counsell fall take at the like occasions, which may frequentlie occurre heirefter, inrespect of the number of warre shippes of both parties, in thir seas of late, now liklie to continew, vnles your maiestie, by your excellent wisdome and royall autoritie, prevent it. We haue commanded the captaines of both parties to be before the counsell tomorrow, and are informed that he who hes charge of the Hollanders, is called Monsieur de Hautain, and is admirall of Zeland, of good qualitie and accompt amongis the estates.

This accident hes giuen ws proof of the incommoditie of my Lord Chancelars absence, who hes bene so sicke thir fiftene dayes, that mens

hopes and dispaire of his recouerie have many times changed. He is eafed of his paine, but fo weake, as, if he efcape, which is greatlie wifhed, it will be long before he recouer his ftrengh; and if he deceafe, your maiefties feruice may neither admit delay of the appointing of a fucceffour, inrefpect of my infufficieny to fufteane the burding during the vacancie, nor can it be fupplied but by one of greateft autoritie, faith, and fufficiencie within the kingdome. They ar all fo well knowne to your maieftie, and your royall judgement is fo excellent, and loue to your fubiefts fo notour, as none can dowl of the perfection of your maiefties choice. So, praying God to preferue your maieftie many happie yeares, I reft

Your Maiefties moft humble and faithfull  
fubieft and feruant,

MELROS.

Edinburgh, 13 June [1622?]  
at night.

[To the Kings moft excellent Maieftie.]

CCLXVI.—THE EARL OF MELROS TO JOHN MURRAY.

SIR,

THE inclofed will informe yow of my defire of your freindlie help in the maters may occurre throw occafion of my Lord Chancelars deceafe; and if ye think that the fight of my letter may moue his maieftie

to releue me of the burding wherwith some men wold ouerwhelme me,  
I pray yow vfed according to your freindlie discretion. I rest

Your most oblifed and obedient freind,

MELROS.

Edinburgh, 16 June [1622?]

To the right worshipfull John Murray of  
Lochmaben, one of his Maiesties  
Bedchamber, at Court.

CCLXVII.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

It hes pleased God, this moirning, to call to his mercie, frome this mortall lyffe, the laite erle of Dunfermyne, your maiesteis faithfull and trustie counsellour, by whose deathe we ar depryued of grite assistance, folide counsell, and perfyte resolutioun, whilk by him we had in your maiesteis affairis, and of whose panefull trauellis, cair, and diligence in your maiesteis seruice, we can beare goode record. Bot seeing, in Godis appointit tyme, he hes compleit his course, to the regrait of all your maiesteis goode subiectis, we could not omitt of dewtie, in regaird of the grite and honourable place, whilk he held in this estate, to gif notice of his deathe vnto youre maiestie, and thairwithall humelie to beseeke your maiestie to latt ws knowe, quhat your maiestie will gif, in directioun to ws, concerning your affairis and seruice, till your maiestie fall haif tyme and laifer to think vpoun a new choise to be maid for that honnourable place, whair of we perswade oure selffis, that youre maiestie, oute of your awne excellent iudgement, will confidder that the affairis can not, without preiudice, admit ony lang delay,



and that choise falbe maid of fuche a fitt perfone, whose giftis wilbe anfuerable to that heigh imployment. And specialie, we ar to recommend vnto your maiestie the neceffitie of a present choise, to be maid of some perfone whome your maiestie will truste with the keeping of your maiesteis caffhett, becaus the dispatche of all the publict affairis of the state, alweele concerning your maiestie as youre subiectis, quhairunto your maiesteis hand, vnder the caffhett, is requisite, dependis thairon. In the meantyme, we haif thocht it expedient that your maiesteis grite seale falbe reffaued and kepted by ordour, to be prescryued be your counsell, who wilbe anfuerable that no vse falbe maid of it, till your maiesteis goode pleafour, falbe thairin knowne vnto ws, at whilk tyme the seale falbe deliuerit to fuche as your maiestie falbe pleased to command. And so, with oure humble prayeris vnto God for your maiesteis lang and happie reignn, we rest

Your Maiesties most humble and obedient,

A. MAR.	J. ERSKYNE.	W. OLIPHANT.
WIGTOUN.	CARNEGIE.	SCOTTSTARVETT.
SANCTANDREWS.	J. COKBURNE.	GEO. ARESKYN.
MELROS.	J. CARRE.	CONSERUITEUR.
JA. GLASGOW.	J. HAMILTON.	WEEMIS.
AIRE.	R. COKBURNE.	

Edinburgh, 16 Junij 1622.

To the King his most sacred and  
excellent Maiestie.

CCLXVIII.—EARL OF MELROS TO JOHN MURRAY.

SIR,

I HAUE receiued your letter of the tent, and having wretin by the packet, caried be George Bailie, who parted vpon Sunday last, of my Lord

Chancelars death, and, in a letter to his maiestie, told what order was intended for keeping the great seale and caschet close vnvfed, till his maiestie shoulde be pleased to giue warrand for exercice therof, we expected that they shoulde haue bene presented to the counsell vpon Tyfday, but that was delayed vpon an excuse knowne to be true, that the Earle of Winton, who now hes thame, had bene so ouerwatched ten or tuell nights attending his vncke in his sickenes, as not going to bed but verie seldome, was much altered, and not able to compeir vpon Tyfday. We expect his presence vpon Thurisday, and thereafter ye shall know what farther is done therein, that by yow his maiestie may be informed of the counsels diligence. But, as I wrote before to yow, vnles his maiestie take some speedie course to place in that charge, one of the worthiest and greatest autoritie in this kingdome, there is danger that his seruice may receiue preiudice. A greater part of the burding lyes vpon me nor I am able to beare. Many are able to serue at tennice, at the corde, who are vnfit for the house. The nobleman lately deceased, bearing the weightie end of the barrow, made my charge light at the lower staale, his sufficiencie and autoritie making my taske easie, but if I want the like relief by anothers employment in his place, I may shortly incurre his maiesties displeasour for want of sufficiencie, when I haue vsed the best intended diligence that can be expected from so weake an instrument, for eschewing wherof I haue prayed yow, by all my letters writen since the beginning of the Lord Chancelars sickenes, to represent to his maiestie the necessitie of a readie resolution in the choice of a worthie officer in the place now vaiking, and will neuer cease to importune yow, whill that busines be well settled. For your nighbourheid, I wish your partie may conforme him self to reason, as I think he shoulde and will, and, if he do otherwayes, if all that are bound to your kindnesse be thankfull, your honest causes can not want lafull help; but I remit that to tryall, and hope the best of all honest men.

No better resolution can be taken anent my Lord of Stormont busines, nor that which your letter expresse. I am forie to heare Pitlour compleane of some new rigour, alledged vsed by my lords people against him in their nighbourheid, but it is not my part to condemne a freind vnhard.

All that loue yow will allow the good courfe taken by yow for fetling freindfhip with the Earle of Niddisdail.

The Earle of Mar, knowing his maiefties pleafour anent his renunciation of his clame as air to the Earle of Douglas, hes giuen in a declaration generall theranent to the feffion, which is regiftrat in their boukes, and will gaue particular contentment to parties who fall require their intereft to be fecured; which I pray yow fignifie to his maieftie. The action betuix him and the Lord Elfinfton delays vpon other occafions; and what Maifter Thomas Hope will require for yow will be performed: fo, wifhing yow all happines, I reft

Your obleifhed and obedient freind,

MELROS.

Edinburgh, 19 June [1622.]

To the right worfhipfull John Murray  
of Lochmaben, one of his Maiefties  
Bedchamber, at Court.

CCLXIX.—THE LORDS OF SESSION TO KING JAMES VI.

MOST SACRED SOUERAIGNE,

IN the action moved be the Erll of Mar againft the Lord Elphinfoun touching the lands of Kildrymmie, it hath pleafed your maieftie, being informed of a reasonable caufe, which may difhable your maiefties owne Aduocat to difcharge his dewtie in that pleading, to fubftitute Sir Alexander Gibfon of Durie, knight, one of our ordiner number, who,

thogh in all humilitie and reverence, did offer him selff most readie and will to embrace and obey, without exceptioun, all your maiesties commandements, yet, finding this motion new and strange, proceeding rather from the instant suite of a partie, nor any other warrantable ground, did wish vs to tak the samyn to our consideration, and let your maiestie knowe our judgement and opinion thairanent; and when we fund, it did in consequence touch the whole body, wherof we ar members, we could not weell refuse so reasonable a desire, bot rather wer vniformelie moved by the diffuasive reasons following, to represent to your maiesties royall wisdome, which is our best leadstar in doubtis of this kynde, the effects which may ensue, iff this haue any way, as it is now suited.

First, the eminent dignitie whervnto your maiesties princelie power hath promoved vs in this place, shall, by this meanes, be empared, for that hath ever heirtofore privileged vs, from necessitie of vndergoing of any inferiour function, bot speciallie such a charge as this, which can not be dischargit bot at the arbitrimint, and be the disposing of the pairtie informer.

Nixt, as it is new and strange, so it is likewyse for the preparative, dangerous, considering how often the like caice may occur, at least the like cause be pretendit. For, iff it fall be arbitrarie to pairties, imploring the ordinarie ayde of iustice, to single out, vnder the like pretence, any of our number, at thair pleasure, it will in end proue both a weakning of our body and strenghtning off actions; and these bad effectis, which this course, by appearance, will produce, moues vs to rest assured that your maiestie, out of your royall care, asweell of vs, as the weell of your subiects, will both foirsee and avert the danger of them, and will rather be gratiouuslie pleased to appoynt that choise of substitutioun out of the number of advocats, nor our number, and the rather in respect that number hath, often before this tyme, beene with good successe the seminarie of this place, and the garden, whence these of whome your maiestie made choyse for that service, haue alwayes bene pluckt and taken.

This our opinion on the occasion forsaide, as it doth proceed from our loyall and hartie affections, so we hope shalbe kyndlie taken by your maiesties fatherlie love, and we our selves be further directed by your maiesties royall wisdome and pleasure, to which, in all humilitie, conform-

ing and submitting ourselves, and praying God for all happienes and prosperitie to your maiesties royall perfone and posteritie, we rest

Your Maiesties most devoted and humble fervitours,

MELROS.  
SANCTANDREWS.  
LAUDERDAILL.  
CARNEGIE.  
MELUILL.  
A. HAMILTON.  
KILSAYTH.

T. HENRYSON.  
WEMIS.  
R. COKBURNE.  
J. COKBURNE.  
GEO. ARESKYN.  
AL. HAY.

Edinburgh, the xxth of June 1622.

To the King his most excellent Maiestie.

CCLXX.—SIR THOMAS HENRYSON TO JOHN MURRAY.

MOST HONORABLE SIR,

MY maist affectionat dewtie premitit: the effectuall proove of your honoris firme freindschip and affurit fauour, imboldnes me euer to rely vpoune the continewance thair of, towardis me and all myne, as I fall euer think me bound vith ane wndiffoluable obligatioune to your honour and all your, quhill I live, or then be esteemit the vngrateft man leving: and amangst the rest of your honours courtesies, I must expect your fauour to, and cair of, ane tender freind of your awin honouris, the commissarie of Dumfreis, Maister James Haliday, now in effect your honours sifterfoonne, having mariit your neipce; his woorth and behauour, I dout not, fall pleid for him at all handis; and seing thair is furnifed heir the promotioun of some noble perfounes, quha hes ordinaire places

in Seffioune, to the dignitie of the Chancellarie, now wacand, throw the deceife of ane most woorthie and incomparable subiect as euer I knew in iustice feat; it war not amifs to remember your honours deir freind, quha is in sufficiencie not inferiour to ony pretendand: I dout not but his cariage vith tyme will procure his adwancement. The consideratioune quherof I remitt to your honours awin gud pleasure; and if ony of my freinds aboue can fecound your honours intentions heirin, I will most cairfully recommend the busines to thame, as myne awin; and praying your honour euer to esteame me, as your firmly bound and tyed man, to your honours irrecompensable fauours, I committ your honour to Gods euerlasting proteclioune. Edinburgh, the fourt of Julij 1622.

Your honours maist affectionat seruiteur,

T. HENRYSON.

To the right honorable and his  
woorthie freind, Jhon Murray  
of Lochmabene, gentilman of  
his Majesties Bedchalmer, at  
Court, These.

CCLXXI.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

WHEREAS the tyme of changeing of the schireffis, of whome youre maiestie hes the nominatioun, now approtcheis, we haif heirwith send vp to youre maiestie, ane roll of the justiceis of peace within these shirefdomes, to the effect youre maiestie may point oute, fuche, whom youre maiestie wilbe pleased to prefer for the yeir to come. Thay who ar presentlie in office, ar markit with the letter P; and quhairas lykewayes, the office of shireffship of Murray hes bene, thir diuers yeiris bigane, voyde, pairtlie through the deceis of the laite shireff, and pairtlie vpoun occasioun of ane pretendit comprying of

the said office led be Dauid Kinloche, marcheant burges of Edinburgh, who, being conscious to himself of his awne waiknes for fuche ane charge, hes forborne to medle thairin, fua that the adminiftratioun of iustice within that shirefdome hes ceast; and your maiesties awne affairis, wherof the executioun pertenis to the shireff, hes bene neglectit. And becaus the mater of the taxatioun wes in handis, whilk might admitt no delay of tyme, we burdynnit the Lord Lovatt, as tutour to the young schireff, with the ingaddering of the taxatioun for that shirefdome, who excuifit him felf that he could not medle in that mater, inrefpect of the comprifing foirfaid, without a formal commiffioun of shireffship in write for the whole foure yeiris of the taxatioun; in whilk point, we could gif him no other fatiffactioun, bot that we fould acquent youre maiestie thairwith, and crave youre maieftes awne allowance thairunto; wherupoun he wes induceit to accept the charge for this yeir, the terme quhairof being now drawing neir, and the neceffitie of a shireff for the mater of the taxatioun, besydis the otheris adois of the cuntrie, being so vrgent, as it can not weebe delayed, we will humelie befeseeke youre maiestie to latt ws knowe, yf youre maiestie wilbe pleafit with the continewance of the said Lord in that charge, for the yeiris to come of the taxatioun, whilk, in oure opinioun, is the faulfeft courfe for youre maieftes feruice; or, yf youre maiestie will mak choife of ony other, we shall in all reuerence acquiefce to youre maieftes pleafour thairanent. And so, praying the Almighty God to wathe ouer youre facred perfonne, and to bliffe youre maiestie with mony lang and happie yeiris, we rest

Your Maieftes most humble and obedient  
fubiectis and feruitouris,

A. MAR.  
WINTOUN.  
LOTHIANE.

MELROS.  
LAUDERDAILL.  
MELUILL.

Edinburgh, 18 July 1622.

To the King his most excellent and  
facred Maieftie.

## CCLXXII.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

By oure formar lettre of the xiiij of Junij laft, we acquaintit youre maieftie quhat courfe we had tane betuix the Spanifhe and Holland fhippis that laitlie combated in the roade of Leithe, and how that we wer petitioned on the behalf of fome prifonnaris tane and detenit in the Spanifhe fchep, that thay might be putt to libertie, conforme to the cuftome of nationis, alledgeit to be vniuerfallie obseruit in the lyke caife, quhairunto we deferred to gif answer, till the knouledge of youre maiefties pleafour, becaus the mater wes a noualtie, quairof the lyke had not occurrit in this kingdome, and we wer not foirfeene quhat the cuftome of nationis in fuche a caife allowed. Senfyne, thay haif renewit thair petition almost euerye other counfell day; bot the expectatioun of youre maiefties answer, quhilk we daylie attendit and looked for, maid ws to putt thame of with the beft excuifs we could. And now the mater hes bene of new vrged this counfell day; and it is constantlie affermed that fome of thir prifonnaris ar deadlie feeke. The confideratioun quhairof moued the counfell, being conuenit in a frequent nomber, to think that Chriftiane cheritie and humanitie, in a mater of this kynd, required a fauourable heiring and answer; and thairfoir, we haif directit twa of the bailies of Edinburgh, with a phifitioun, to go and vifite the prifonnaris, in quhat eftate thay ar, and how mony of thame are trewlie feeke, and to reporte the trewthe thairof to ws vpoun Twifday nixt; and we haif lykeweyes ordanit the captaines of the Spanifhe and Holland fhippis to be befoir ws the faid day, inftreçtit with fuche informatioun and probatioun, anent the cuftome of nationis, as the one will vse for the laughfull detentioun of the prifonnaris, and quhairby the other will laughfullie clame their libertie, and to vnderly fuche ordour as falbe tane thairanent; wherin mony ar inclyned to haif a fauourable regaird of fuche as ar difeased, and to putt thame to libertie vpoun cautioun for thair reentrie, yf fo it fhall pleis your maieftie to command. We haif bene, and ar verie fpairing to medle in this mater,



whilk concernis the subiectis of ane prince and estate, with whome your maiestie standis in goode termis of freindship, and we can find no precedent, wherby we may be directit to a cleir and perfyte resolutioun in this point; and thairfoir we will humelie presome of new agane to requeist youre maiestie, to assist ws, by the excellencie of youre awne found and perfyte iudgment, in this mater, and, by the returne of youre gracious will and pleasour, to latt ws knowe quhat we fall do thairin, and whilk falbe a reule to ws in all occurrencis of the lyke natur heirefter. And so, in all humilitie, praying the Almightye God to blisse your maiestie with mony lang and happie dayis, we rest

Your Maiesteis most humble and obedient  
subiectis and seruitouris,

GEORGE HAY.  
A. MAR.  
J. MORTON.  
MELROS.  
MELUILL.  
LAUDERDAILL.

J. ERSKYNE.  
KILSAYTH.  
A. HAMILTON.  
BUCCLEUCHE.  
CARNEGIE.  
W. OLIPHANT.

Edinburgh, 25th July 1622.

To the King his most sacred and excellent  
Maiestie.

CCLXXIII.—JOHN MURRAY TO THE EARL OF MELROS.

RIGHT HONORABLE,

I have receaved your letter off the 18, and hes confiderit vpon the same, and the caus off my wreittin these lynes to your lordship, is the mache off my freind your lordship wryttis off, that is gone one ffor soe fare, for that I knoe owt off the countree, that some hes wrocht in that more earnist nor before, and laid there grownds for this reasone, that may freind-

ſchepe to the Lard Jonſton can not be fuche, as he can luk for ony good by me ; ſecond, the freindſcheepe betuix the earle off Nyddifdaile and me, this I will ſaye, he that comtes befor his oift comtes tuyſe, and theſe whoe hes keepit the Lard Jonſton in trowble, hes not left off as yett, to hald him that waye, and ffor that whiche I wreitt to your lordſhip before, off my care off the Lard Jonſton, I think myght ferved, and more I could ſaye, iff I war with your lordſhip, bot will lett that reſt till the owin tyme. This I hawe wreittin to your lordſhip, to deſeir the Lard Jonſton to ſtaye the contending his mache, whill he heard ffrome me, and iff my afferes be not als muche both ffor his comoditie and honor, yee, and to aquent his honor, with Gods greace, and the affurence off my owin freindſcheepe, as your lordſhip and vther off his honorabill freinds ſhall be judge, that he may doe as he pleaſſe, and in this I will deſire your lordſhip to aquent him, and lett me heare ffrome your lordſhip iff thingis be not don, and ſtaye thame whill your lordſhip haue my anſuer agane ; ſoe, haweand noe vther occaſion at this tyme, I will wiſche your lordſhip all happines frome him that will remeane

Your Lordſhips moſt obleſhed to ſerve yowe,

JOHN MURRAY.\*

At Whythall, the 27 July 1622.

For the Lard Jonſtons buſſines with the tutor, I ſhall anſuer that noe courſe ſhall be taken in that, bot according as he did agree at his being heare the laſt yeare, fore ſoe I hawe orderit with my Lord Nyddifdeale. Something of this I ſhewe my lord Chancellor, at Windfore, on his way comyng frome hence.

To the ryght honorabill, my verie  
good the Earle of Melros, Lord  
Secretter off Scotland.

\* John Murray was created Viscount of Annand ſhortly after the date of this letter, but as the patent cannot be found, the exact period has not been aſcertained. It muſt, however, have been between the 27th of July and the 6th Auguſt thereafter. Upon the 13th March 1624, his Lordſhip was created Earl of Annandale.

CCLXXIV.—SIR THOMAS HENRYSON TO THE VISCOUNT OF ANNAND.

MY HONORABLE AND WOORTHIE LORD,

THE dewtifull offer of my kindlie service premittit, I am not able, ether by woord or wreitt, to exprefs your lordships fauours and woorthie meritts towardis me; and if I fuld ftryve and preife to acqyte thame kythit in deidis, by woordis only, I micht be eftimat in rank of ingraitis, but my mynd fall euer be far vtherwayis, if it fall pleis God, I haife that happines to exprefs it by fum occaſiounes, ether in your lordſhip, or your lordships freindis buſines, or ony thing that can concerne your lordſhip, quherin I am able to ferue your lordſhip or any of yours, I will intreit your lordships fauour by commandement to affay, if I fall ſchrink in your lordships honorable pretenſions, in quhat I am able; and as I haif found your honorable lordships gude and effectuell fauour, in tymes paſt, ſo will I euer relie thairvpoune, as my cheiff patrone and protectione. The Lord increaſe your lordſhip in all health, wealth, honour, and proſperitie, vith perpetuitie and indurance heir, ſo long as fleſche may florifche, and in eternall felicitie heirefter.

Your Lordships maiſt affectionat ſeruiteur,

T. HENRYSON.

Edinburgh, the firſt of Auguſt 1622.

I receauit your lordships letter of the 24 Julij this day, efter the writing heirof, quhilk is moire acceptable to me then ony thing culd befall. Pithie in wryting as your lordſhip hes bene to me, powerfull in doing, quhilk I fall eſteame euer ane fure teſtimonie of your lordships

vndefervit fauour. I will not importune your lordship vith euerie occurrent, but will acquaint your lordship be my nephew.

To my most honorable and woorthie  
 Lord, my Lord Vicount of Annand, These.

CCLXXV.—LORD JOHNSTOUN TO THE VISCOUNT OF ANNAND.

MY VERIE HONOURABLE LORD,

My dewtie and seruice remembered vnto your lordship. I am informit be the rycht honourable my Lord of Melros, of your lordships lowe and kyndnefs ye carie to my hous, ffor the quhilk I falbe ewer red-die to ferve your lordship. As concerning my buffines with Drumlanrig, your lordship fall witt, that I may do thairin as pleaffes me, and fall keep myself frie, quhill I heer farder frome your lordship. Quhairfoir I will requeist your lordship to acquent me particularlie of your lordships meanyng, and giff it be to my credit and contentment (as I doubt not the contrair), your lordship fall command me. Pleis your lordship, my tutor and I hes of new submitted to some of the Ordinaries Lordes of Session, and my Lord Chancellor to be overfman. Sua, expecting your lordships answer, with the first occasioun, I rest

Your lowing cussing to ferue yow,

JOHNSTOUN.

Edinburgh, 6 August 1622.

To my verrey honorabill guid Lord,  
 my Lord Viscount of Annan, Gentillmen of his Majesties Bedchamber, These.

## CCLXXVI.—EARL OF MELROS TO THE VISCOUNT OF ANNAND.

MY VERIE HONORABLE GOOD LORD,

ALBEIT your lordships letter, which I returne heerwith, was directed by packet of the 27 of July, for life, yet it came not to my hands till the fourt of this month, at tuelue a clock. I caused make present searck for the laird of Johnstou, and trying that he wes in Elfliston, I wrot to him, and inclosed your letter, praying him to confider of your kyndnes as it merited, and let me haue his ansuer with diligence. Yesterday afternone he came to this place, and redeliuered your lordships letter, and promised to haue his letters at me this day to be sent to your lordship. The packet fall go fo soone as I receiue them. His mother is in Edinburgh, and Westerhall is still with him. He seemed to be well pleased with the motion, since it conteaned assurance of his profit and honour, which is all can be desired, if the parties be pleased each with the other. He can not at this time haue the earle of Mars aduice, for he is presentlie going to the Brae of Mar. Sir James Bailie promised to get John Auchmouties ansuer anent the submiffion. I told him it must be in no other termes, but what satisfiactioun your lordship shuld giue him for any right or kindnes he could pretend. If he consent, the submiffion shal be drawne and sent to be subscribed, otherwayes your lordship shal be aduertised of his resolution. So, till farder occasion, I commit your lordship to God, and rest

Your Lordships affectionat freind to  
ferue yow,

MELROS.

Barnbougall, 6 of Aug.

The laird of Johnstou came to me this day, and told that he had been in Allowa, at the earle of Mar, who had counfelled him to heare of the

particular condicions, which being agreeable to his good, fould haue his heartie content. But ye will know things best by the lairds awne letters sent heirwith. 7 Aug. 1622.

To my verie honorable good lord, my Lord  
Vicount Annand, at Court.

Receaved the 17 Aug. at Elderfchote,  
1622.\*

CCLXXVII.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

THAIR wes a petitioun gevin in this day to youre maiesties counfell, in nâme of James and Williame Cochranes, Archibald Hamiltoun, and Johnne Smaill, burgeses of Edinburgh, and George Duff, writer, havelie regraiting the wrong done vnto thame by that finister reporte maid vnto youre maiestie, quhairwith thay wer burdynnit to be fubornaris of the witneffis, producit in the actioun of diuorce, perfewit be the said Williame aganis Iffobel Gichane, his spous, quhairupoun youre maiestie wes moued to grant ane warrand to the erle of Nithisdail for apprehending of thame, and committing of thame to warde, whilk wes accordinglie execute vpoun thame be the said erle his brother. And seeing thay wer never callit to thair answer for that cryme, thay being men who ar anfuerable and obedient to the lawis, and wer never spotted with fuche vnlaughfull doingis, thay humblie defyrit that thay might be fred of thair warde, vpoun cautoun to be anfuerable to thair tryale, quheneuir thay

\* In Lord Annand's hand-writing.

falbe callit. This complaint being hard and confidderit in counsell, it wes thought, be the vniforme consent of all that wer present, that in materis of this kynd, quhair the law is patent, and iustice indifferentlie ministrat to all complenaris, that youre maiestie sould not be importuned nor fashed, bot that the pairtyis sould haif thair recourse to thair ordinair iudgeis; and towcheing this point of subornatioun obiectit aganis thir men, the tryale thair of wes proper to the commissiounaris of Edinburgh, or to the Lordis of Sessioun, incais thair concurrence had bene craued, befor whome the pairtie might haif expectit all laughfull fauour towards the discouerie of that cryme that the course of iustice wald allow. Yf way falbe gevin to priuat pairtyis, oute of thair discontented humours, to leave thair ordinair iudgeis, and to impeshe youre maiestie with thair petitionis, aganis forme and ordour, we doubt not bot youre maiestie will confidder quhat preiudice will thairupoun follow to the ordinair course of iustice, and how far youre maiestie wilbe importuned and fashed. And thairfor, we will humelie intreate youre maiestie, that in occurrentis of this kynd, to be heirafter presented vnto youre maiestie, youre maiestie wilbe pleased to remitt the pairtyis to the course of law, in the ordinair iudgement; by quhilk doing, youre maiestie wilbe fred and releued of grite importunitie and fasherie, and the ordiner forme of iustice wilbe preferued. And quhairas thir men ar responfall and anfuerable, and some of thame hes borne office of baillierie within this burgh, and we neuer hard of ony imputatioun of discredite aganis thame, it wes thairfor thought agreable to equitie and iustice, that thay sould be fred and releued of thair warde, vpoun cautioun, vnder grite sowmes, for thair reentrie vpoun the first counsell day of Nouember. Yf, in this meane tyme, youre maiestie wald haif ony forder ordour to be tane with thame, vpoun the significatioun of youre maiesties gracious will and pleasour, it falbe obeyed. Frances Keith hes bene ane often petitionar for his libertie, and offeris cautioun to be anfuerable to his tryale, and to keepe warde within Edinburgh or a myle thairabout, vnder grite sowmes; bot seeing he wes send heir by youre maiesties speciall directioun, his libertie wes refused till youre maiesties pleasour be knowne. And so, praying the Almighty God to

watche ouer youre sacred persone, and to preferue youre maiestie in  
helthe and prosperitie, we rest

Youre Maiesteis most humble and obedyent  
subiectis and seruitouris,

GEORGE HAY.  
A. MAR.  
WINTOUN.  
PERTHE.

MELROS.  
LAUDERDAILL.  
ROXBURGH.

Edinburgh, 28 August 1622.

To the King his most sacred and  
excellent Maiestie.

CCLXXVIII.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

By a lettre fend heir frome the Archiebishop of Glasgw, we ar  
certified that Mortymer, the Jesuite, prisonner in Glasgw, is havelie  
diseased with ane appeiring deadlie consumptioun, and that haueing spent  
all that he had, hes not now the meanis to interteine him selff, and that  
he daylie cryis to be fend to France, offering to act him self vpoun the  
parrell of his heade nevir to returne; and the archiebishop inclynnis that  
he falbe fend away vpoun this fame conditioun, yf so it shall pleis youre  
maiestie to think meete. And thairfoir, these ar humelie to requeist youre  
maiestie to latt ws knowe, youre maiesteis will and pleasour in this mater,  
that accordinglie we may conforme oure selffis thairunto. And so, con-



tinewing oure vncessant and eirnist prayeris vnto God for youre maiesteis  
lang and happie reigne, we rest

Youre Maiesties most humble and obedient  
subiectis and seruitouris,

GEORGE HAY.

A. MAR.

WINTOUN.

PERTHE.

MELROS.

LAUDERDAILL.

ROXBURGH.

Edinburgh, 28 August 1622.

To the King his most sacred and  
excellent Maiestie.

CCLXXIX.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

THE erle of Wyntoun, vpoun the returne of youre maiesteis will and  
pleasoure, anent youre maiesteis grite feale and casnett, quhairof the laite  
erle of Dunfermyne, youre maiesteis Chancellour and faithfull seruand,  
had the charge and keeping, haueing exhibite the same befor youre ma-  
iesteis counsell, who wer conuenit in a frequent number at that tyme, he  
humelie desirrit, that by some autentique record, the dewtifull behaviour  
and cariage of the said laite lord Chancellour, in youre maiesteis affairis  
and seruice, might be testifeit and approvin, to the effect the same might  
remane to his posteritie, as a pledge and taikine of youre maiesteis gra-  
tious fauour, and by the quhilk your maiestie wes to crowne the mony  
grite fauouris formarie bestowed be youre maiestie vpoun him. This  
petitioun being hard and confidderit in counsell, it wes thocht meete that

the fame fould be recommendit vnto youre maieftie, to whome the finceritie of that nobleman, his affectioun and difpofitioun to youre maiefteis feruice, wes fo weeke knowne; and thay nowayes doubtit bot that youre facred maieftie, oute of youre awne gracious refpect towards all youre weill deferving feruandis, wilbepleafed to allow of this approbatioun. And thairfoir, we haif heirwith fend vp vnto youre maieftie, this fignatour, drawne vp in his fauour, to the effect the fame, being warranted by youre facred hand, may thairefter be pafte and expedit in counfell. Yf any thing be defectiue in the fignatour, outhere in the forme or fubftance, vpoun the returne of youre maiefteis pleafour, it falbe reformed. And fo, with oure humble and vnceffant prayaris vnto God for youre maiefteis lang and happie reigne, we reft

Your Maiefteis moft humble and obedient  
fubiectis and feruitouris,

GEO. CANCELL<sup>r</sup>.  
ROXBURGH.  
A. MAR.  
MELROS.  
LAUDERDAILL.  
GLENCAIRNE.

STORMONT.  
PERTHE.  
J. ERSKYNE.  
WIGTOUN.  
CARNEGIE.

Edinburgh, 28 Auguft 1622.

To the King his moft facred and  
excellent Maieftie.

CCLXXX.—NOTE BY THE EARL OF MELROS AS TO SIR WILLIAM KEITH'S  
IMPRISONMENT.

Vpon the tenth of October instant, Sir William Keith, of Ludquharne, gaue in a bill to the counfell, defiring fufpenfion of the horning

vſed againſt him, for his not compeirance before them, and for not entering ſuch perſones as he was decerned to exhibit. I produced a letter of his maieſties, commanding me to ſhow to the counſell, that Sir William had informed his maieſtie, that there was one whom he was vnable to exhibite, wherby his maieſtie was pleaſed, that if he ſould preſent him ſelf and the reſt, his royall pleaſure was, that paynes ſould be taken to reconcile Ludquharn and his partie; and if any difficultie were found, that his maieſtie ſould be aduertified therof. Which letter being red, Ludquharn was called, and by my Lord Chancelar informed, that albeit the generall order required that he ſould not haue any ſuſpenſion till he and his complices were entered in ward, yet his knowledge of his maieſties deſire to haue his troubles ſetled, had moued him to ſtay his partie to proſecute their intention, to vſe caption againſt Ludquharn that morning, and the ſame reſpect had induced the counſell to diſpenſe with the vſuall forme, and to grant him ſuſpenſion till the firſt counſell day of Nouember, he finding caution, vnder the paine of thrie thouſand punds, that he ſould that day compeir and enter his other complices, except one, called Merſhell; and that, in the meantyme, he ſould remane within fix miles of Edinburgh. Ludquharn anſwered, that he was vnable to enter the moſt part of his men, ſome of them being dead, ſome gone to the Lowe Countries, and ſome gone to Cathnes, ſo as he could not bind him ſelf to preſent theſe; neither was he able to enter any of them, vnles he wer permitted to go to his owne houſe; but if that fauour were ſhowne him, he would find caution, either to preſent them or enter him ſelf. My Lord Chancelar told him, that the counſell could not conſent to his going to the cuntrie, becauſe, he being put to the horne for his and his mens not compeirance, he had gone to court, and after his returne, had kepted his rebellious complices in his companie, and with them riddin opinlie in the cuntrie, not forbearing Mukals bounds, which prouocation had increaſed the parties greif, and bred ſclander in the cuntrie; and for preventing the like, the counſell wald reſtraine him from going to the North. I prayed him to conforme him ſelf to the counſells direction, and not to feare the danger of his cautioners, but to obey and imploy his friends to perſuade or force als manie of his complices to compeir as they could; and if by that meane his maief-

tie fould sie cleir prouffes of his obedience and diligence, he had found so cleer testimonies of his maiesties gracious clemencie, as he might vndowt-edlie beleue that his maiestie would not allow any penaltie to be exacted, which he fould vnwillinglie incur ; telling him withall, that he wes alreadie so far in his maiesties reuerence, as, if he wer rigourouslie disposed, he might be charged with more nor his estate could beare. But he still pretending his inabilityie to do any thing if he wer not licensed to go to his cuntrie, the counsell commanded him to the towbuith. He contended earnestlie to haue ane act, testifeing his offer to find caution to enter himself or his complices, which the counsell took not well, as tending to a complaint of hard vsage, efter they had delt so fauorable with him.\*

[Oct. 1622?]

CCLXXXI.—SIR WILLIAM KEITH TO KING JAMES VI.

MOST GRACIUS AND DREID SOWERINGE,

MAY it please your most excelentt maiestie to pardone the bouldnes off me, your maiesties poore distressed subiect, and with the eye off compassione to petie and regaird my esteatte. At your maiesties commande, I come heir to the counfall off Scotland, with allis grytt expedition as I could, and ther offeritt my selff willing, in what was possablie for me, to obey ther commandmentis; whois pleafour was, that I fould nott go home, bott fett sure and responfall catione, wnder the paine of thrie thousand pound, to remaine confynned in Edinburgh, and sex myllis ther abowtt, and to the nixt counfall day, which happinis the fyft off November, to presentt wnto ther Lordshippis the holl of the committeris, fave on, off the ryatte done to Muchall, or ellis presentlie to enter my selff in presone in the tolbowth off Edinburgh: and because off the impossabelitie

\* Autograph of Lord Melros.

of my gettinge off furretie to bringe in thois men, for no freind wold be cautione for me in thatt, in respect the holl men ar fled the cuntrie; wherfor I am compelled to except off the secund, to go my selff, wher I miserabillie remaine preffonar in the Tolbowth off Edinburgh, ewer to your maiesties gracios favore appeere to my releive, wheroff the raither I assure my selff, for that your maiestie heath bein graciousslie pleassed, at Okeine, in Appryll last, royallie to favore me with the promice off a frea pardone off all: and whatt I have suffered since, in my owin persone and my freindis, is knowin to manie, and will nott now trubill your maiesties earis therwith; only my earnist wishis and contenvall prayer to God Almightye is, and shalbe, for your majesties longe and happie reine, and I am ewer

Your Majesties humbille, loyall, and obediand  
subjecl,

S<sup>a</sup>. W. KEYTHE.

Tolbouthe off Edinburgh, 9 off October 1622.

To his most gratius and dread Souerane,  
the Kingis most excellent Majestie.

Indorfed:

Ludquhairne, 9 Octobris 1622.

CCLXXXII.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

HAUEING beene oft petitioned, on the behalff of Frances Keythe, who, be your maiesteis directioun, wes send heir in the moneth of Junij last, and hes beene prifonair in the towbuithe of Edinburgh senfyne, that outhur he might be putt to his tryall vpoun the crymes, for quhilkis, he wes

wardit, or then fred vpoun cautioun, conforme to the order, we deferred to gif anfuer to his petitionis, till the knowlege of your maiesteis pleafour, becaus we never hard frome youre maiestie concerning that mater, and nather knew the caus of his imprifonment, nor who wes his pairtie. Bot he hauing still importuned ws with his petitionis, quhairin he euer instantlie vrged his tryall, and we finding that sen his heir comeing, thair hes nather a pairtie kythed, nor no perfute nor actioun intentit aganis him; and confidering thairwithall that he wes a poore gentleman, wanting meanis to interteny him selff in warde, it wes thoght, be the whole voceis of all these of the counsell that wer present, that in a mater of this kynd, quhair thair wes nouthur a knowne perfuite nor pairtye, that the benefeit of the law could not be denyit vnto him. And thairfor he is put to libertie, vpon cautioun for his remaning and keeping of warde within the burgh of Edinburgh and the Cannogait, till he be fred. Yf we had knowne that youre maiestie had ony entres in the buffynes, we wald not haif medlit thairin, without your maiesties allowance; and thairfor we will craue permissioun humelie to intreate your maiestie, that in occurrentis of this kynd heirefter, quhan pairtyis ar send home or wardit be youre maiesteis directioun, that youre maiestie wilbe gratiouflie pleased to latt ws knowe yf youre maiestie hes your awne particulair interes in the mater, or yf it concernis priuat pairtyis, to the end, that in the one we may attend youre gracious will and pleafour, and in the other we may proceid sofar as the courfe of law and iustice will allow. And humelie craueing youre maiesties pardoun for this oure presumptioun, and praying God to blisse your maiestie with mony lang and happie yeiris, we rest

Yourre Maiesteis most humble and obedient  
subiectis and feruitouris,

GEORGE HAY.  
MELROS.  
MORTON.

J. HAMILTON.  
R. COKBURNE.  
ARCHIBALD NAPER.

GEO. ARESKYN.  
W. OLIPHANT.

Edinburgh, 21 Nouember 1622.

To the King his most sacred and excellent Maiestie.

CCLXXXIII.—EARL OF MELROS TO THE VISCOUNT OF ANNAND.

MY VERIE HONORABLE LORD,

I RECEIVED your lordships letter of the second, for the busines of Orknay. There could not haue been a more fit occasion to know the reafons of the counfels proceedings, nor when my lord Chancelar wes with his maiestie; but in that, as in all other occurring affaires, I fall strue to be with the first, in promoving all his maiesties royall commandements.

I haue also affured Sir James Bailie, that when it fall be time to wourk in Baffis busines, I fall concurre as if it were for my self.

Maister Walter Whytfoord wes on Tyfday in this towne. I haue fend to seeke him, and if he can be found, I fall make him to speake with the vicount of Air and Sir James Bailie.

I haue inquiryed of Lochinvars dyet at his sone, who is come to this towne; he expects his fathers coming within thrie or four dayes, and when Harbert Maxuell comes, the mater fall be vrged to an end.

The vicount of Air\* hes promised to vse diligence for perfyting the securities betuix your lordship and the earle of Niddifdaill.

Your lordships affaires with the earle of Bukcleugh are fettled.

I must evrie yeare once trouble your lordship with the remembrance of that token, which his maiestie hes been graciousslie pleased to bestow, as a bontifull acceptance of my seruice, which fall euer be faithfull and diligent, and my duetie to your lordship fall be vnchangeable, as becometh

Your Lordships affectionat freind to serue yow,

MELROS.

Edinburgh, 11 December [1622?]

\* Lord Sanquhar, created Viscount of Ayr 2d February 1622.

Sir Archibald and Sir Alexander Naper can testifie my readines in the busines concerning my lord and lady Ogiluies; and when the mater comes to dealing, if he apply not himself to reason, I fall leaue him to the blame and burding of his owne aëtions.

To my verie honorable good Lord, my  
Lord Vicount of Annand, at Court.

CCLXXXIV.—AL[EXANDER] COLVILLE TO THE VISCOUNT OF ANNAND.

RIGHT HONORABLE,

YOUR lordship shall be aduertiffed, that he quho is presentlie Justice Clerc (the lard of Ormiston), is so afflicted with extreame aage, blindnes, and vther infirmities, that he is altogether disinabled ather to walk abroad or discharge his place, and by all appearance, is not long to survive. And becawse it concernis me so neir, that seruise his majestie, as Justice deput, to be vell or ewall zoked, incace it plais God that I liue, I hawe aduentured thir few lynis, being confident of your lordschips goodnes, that his majestie, by your lordschips information, micht be the better prepared againis the importunitie of vnfit futors for that place (of Justice Clerc), quhich aucht not to be giwen to thois that futt it, bot to thois that ar vorthie of it. And as the lywis of men ar mor pretious then thair goods, so lett the vorthines of him be respected, to quhome the lywis of men ar to be trusted; for if he, quho is to be inclosed with affysors (quho for the most part ar rud and ignorant), depending much vpon the clerke his information; if he, I say, be not a found conscientious man, and frie of baife briberie, he may prove a pernicious instrument, and be the cawse that iniquitie may be committed, as we haw zit in memorie of on Thomas Scot of Abbotishall, quho was Justice Clerc to King James the fyft, of happie memorie, quho, being stricken with a terror of conscience,



at the hour of his death, for his ewill cariage in that place, dyed in defparation, crying, "I am damned, I am damned." Zit among all vtheris, young men, and men of great claimis, ar most dangerous for that place.\* Ceafeing farther to fasche your lordships eares, and referring all to your lordships prudence, viffing that, by a happie election of fuch ane officiar, God may gett glorie, his majestie contentment, and the people securitie, by getting right quhen thair lywis fhall be in question, and your lordship praisfe and thankis for being a good instrument. Thus, resting confident that your lordship will tak my boldnes in good part, I rest

Your Lordships affectioned and  
humble fervitour,

AL. COLVILLE.

Edinburgh, 20 December 1622.

To the right honorable his speciall  
good Lord, my Lord Vicount of  
Annan.

CCLXXXV.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

THE earle of Melros, youre maiesteis secretarie, exhibite this day vnto youre maiesteis counsell ane lettre, writtin be youre maiestie vnto him, quhairby youre maiestie fand fault that thair wes not ane finall

\* Sir John Cockburn of Ormiston did not die till the month of June in the ensuing year. He was succeeded as Justice Clerk by Sir Archibald Napier, the first Lord Napier.

anfuer returnit vnto youre maiestie, concerning the propositioun maid be youre maiestie, that the woll of this kingdome, not draiped and wrought at home, might be send to England and fauld thair, and no where els; and thairfoir desiring that this anfuer might with diligence be send vnto youre maiestie. We ar forie that youre maiestie hes tane offence for this caus, seeing thair wes nothing omittit be ws, that in a mater of this kynd, wherin the whole estate hes fuche interesse, could conuenientlie be done; ffor, vpoun the refett of youre maiesteis first lettre, in the moneth of September last, we write for a number of noblemen, baronis, and burgeffis, whome we thocht to haue cheif interesse in the busynes, willing thame to be heir vpoun the 28 day of Nouember last, to haue gevin thair aduise and opinioun to ws thairanent. Whilk dyet being keepit be some, and neglectit be otheris, the few number that conuenit excuisit thame selfis, that thay could do no thing thairin, pretending that the importance of the mater, towcheing so neirlie the whole bodie of the estate, requirit a more frequent meeting of some speciall personis for euerie estate, oute of the feuerall thyris of this kingdome, where the vse of woll is most in requeist. And so that dyet haueing desertit, without ony certane conclusioun or resolution, thair wes a secund meeting appointit to be heir at Edinburgh, vpoun the xiiij of this instant, and a grite number of personis oute of the feuerall thyris of this kingdome wer writtin for to this effect. This dyet hes beene weeke kept be all these that wer writtin for (some three or foure onlie except), and thay ar all presentlie attending, and hes thair meetingis and conference euerye day vpoun this subiect, and hes promiseit to gif thair anfuer and opinioun thairanent, with the ressonis and warrandis of thair opinionis vnto ws, vpoun Twisday nixt, the xxi of this instant; vnto whilk tyme we will humelie beseeke youre maiestie to haif patience, and not to imput the caus of this delay vnto ws, who, in a mater of this kynd, conioyned with the publict interesse of the estate, could vse no gritair diligence; and vpoun Twisday, God willing, quhen the reporte of thair opinionis is maid vnto ws, youre maiestie salbe fullie acquentit with the progres of the busynes, wherin no thing salbe wanting in ws quhilk may procure youre maiesteis full contentment and satisfactioun. And so,

praying the Almighty God to preferue and blisse youre maiestie with  
the continewance of mony lang and happie yeiris, we rest

Youre Maieftieis most humble and obedient  
subiectis and seruitouris,

GEORGE HAY.  
MELROS.  
MORTON.  
LAUDERDAILL.

ROXBURGHE.  
CARNEGIE.  
W. OLIPHANT.

Edinburgh, the xvi day of Januair 1623.

To the King his most sacred and  
excellent Maiestie.

CCLXXXVI.—EARL OF MELROS TO THE VISCOUNT OF ANNAND.

MY VERIE HONORABLE LORD,

I RECEIVED your Lordships tuo letters of the nynt, and deliuered  
in Sir James Bailies owne hand, your other tuo sent to him, as ye desired;  
and being vrged by Alexander Maxuell to haste two masses of letters to  
the Earle of Niddisdail, I haue aduertifed Sir James Bailie therof, that  
if your Lordships letters requyre speedie anfuer, he may make vse of the  
ocasion. My lord of Santandrois had from me the like aduertifment,  
who hes promised to write. I haue not yet heard of Harbert Maxuels  
coming to this cuntrie, to which time no thing can be done in Lochinvars  
busines. I will not repeate what I wrote in my former letters, nor say any  
farder in the mater of the greevances, but remit it to tryell of oure mans  
behaiour therin, wifhing no greater happines to my self in maters of that  
kynd, but that evrie mans cariage were truelie related to his maiestie,

being refolued to studie fo to proceed, that I may be anfuerable to God and his maiestie, of my faithfull intention and endeuours, in maters concerning his maiesties seruice, the good of the cuntrie, and the lawfull contentment of particular parties, who, having contrare ends and interests, can not be all pleased; and many of them, being disapointed of thair vniust desires, vent their malice by misinformations and calumnies, but honest men must rest vpon honest doings, and his maiesties wisdome and protection, and beseech God long to grant them that sheild, as I pray that he may giue yow health and happines, I rest

Your Lordships affectionat friend  
to serue yow,

MELROS.

Edinburgh, 21 Januar [1623?]

To my verie honorable good Lord,  
my Lord Vicount of Annand,  
at Court.

CCLXXXVII.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

VPON the reseate of youre maiesteis lettres, of the xvij of December last, whiche come to oure handis vpoun the secund of this instant in tyme of vacance, whereby youre maiestie wes pleased to sett doun to ws a cleir reule how we fould deale betuix the Dunkirk and Holland shippis, lyand at Leethe and Abirdeene, to wit, that the prifonnars in the Dunkirk shippe at Leethe fould be releued, vpoun affurance to be gevin be the Hollanders, not to trouble thame in thair voyage home,

so many of ws as wer in the towne conuenit, and fend for the baillies of Edinburgh, as the perfonis whome we thought fittest to imploy in that buſſynes, and directit thame to go to Leethe, and deale with the captaine of the Dunkirkair, that he wald releue his prifonnaris, vpoun the conditioun and affurance foirfaid. Whilk charge being performed be the baillies, thay returnit ws this anfuer, that the captaine could not deale nor capitulat vpoun theſe termes, without a warrand and directioun frome the King of Spayne, his maifter, of whome he had a ſpeciall charge to tak, bot not to delyuer prifonnaris, without ranſom. And ſo that point haueing failed, vpoun the refuſaill of the Dunkirkair, we thought it needles to propone the other to the Hollandars, bot directit chargeis, with ane herauld and trumpett, aganis thame, for delyuerie of thair faillis to one of the baillies of Edinburgh within xxiiij houris, vnder the pane of youre maieſteis heigh offence and displeaſour, to the intent the Dunkirkair, conforme to the cuſtome of nationis, might haif the preuilege of tua tydis for hir faulſ outgoing. This charge being execute, and with all due reſpect acceptit be the captaines of the waughtaris, thay promeiſt to gif anfuer within the tyme appointit for thair obedience; afoir the expyreing whereof, thay, for a ſhowe of obedience, went oute of the harborie to the raid, where thay lay till the xvij of this inſtant, vpoun whilk day, one of thame returnit to the harborie, quhair ſho preſentlie lyis, and the other lyis ſtill at anker in the raid. The lyke charge being execute aganis the captaines of the waughtaris at Abirdeene, by ane herauld, with his diſplayed cott of armes, the captaine of the principall ſhippe, callit the Admirall, gaif his anfuer, that he wes preſentlie in reddynes to go to the ſea, and that he intendit to wey and go out of the harborie the nixt tyde, wind and wedder ſeruing, and to mak his addreſſe to Zeland with diligence, and ſo he could not delyuer his faillis. The other tua captaines anfuerit, that thay wer directit heir be thair maifter the Prince of Orange, to attend the Spaniſhe ſhip, that wes thair enemey, and wes putt furthe to wrak and ſpoyll thair marcheantis, and that thay durſt not, vnder no les pane than thair liues, delyuer thair faillis, nor no other pairt of thair ſhippis, without a warrand frome the prince thair maifter, vnto whome the ſhippis, with thair whole furnitour, apperteyned. This being

the effect and substance of all thair answeris, we humelie present the same to youre maiesteis consideratioun; and quhat forder youre maiestie will haif to be done heirin, vpoun the significatioun of youre maiesteis will and pleasour, it falbe obeyit. And so, with oure humble and eirnist prayers vnto God for youre maiesteis lang and happie reigne, we rest

Youre Maiesteis most humble and obedient  
subiectis and seruitouris,

GEORGE HAY.  
A. MAR.  
GLENCAIRNE.  
ROXBURGH.  
BUCCLEUCHE.

MELROS.  
LAUDERDAILL.  
LOTHIANE.  
W. OLIPHANT.  
J. ERSKYNE.

Edinburgh, 23 January 1623.

To the King his most sacred and  
excellent Maiestie.

CCLXXXVIII.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

AFTER the reseate of your maiesties lettre anent the woll, haueing, by oure formair of the xij of October last, humelie presented vnto youre maiesties princelie consideratioun, the reffonis induceing ws to delay the sending of commissiounars to Lundone, for that purpois, till first we wer aduifit thairanent with some personis for euerie estate, who, in a mater of this kynd, wherin thair interesse wes so important, could not be ouerseene, your maiestie wes gratioullie pleased to allow of that shorte delay of tyme, whilk wes onlie to the 28 of Nouember last, wherunto a number of personis for euerie estate wer warnit to be present, of whome some haueing kept the dyet, and otheris being absent, and the mater being proponned

to these that conuenit, with the best argumentis we could vse to procure your maiesties satisfactioun, thay, after some reasoning and conference amangs thame selffis, returnit ws answer, that the importance and consequence of the mater towcheing so neirlie the whole bodie of the estate, bothe in substance and consequence, required a more frequent meeting of the esteatis frome the feuerall shyris of this kingdome, where the trade and handling with woll is most vsfull; wherupoun thair wes a new dyet appointit to the xiiij of this instant, and weele kept be all these that [wer] written for (some three or foure onlie except, who, vpoun necessair occasionis, wer excused); and your maiesteis propositioun and desire being at grite lenthe oppynned vp vnto thame, and bakkit with fuche reffonis, as, in oure opinionis, wer most aggreable to youre maiesteis intentionis, and thair request to be permittit to meete amangs thame selffis, and to confer and reafoun thairupoun, being granted, thay verie cairfullie and panefullie attendit that charge, and twyse euerie day had their meetings, sometymes in publiēt, and other tymes euerie estate be thame selffis, and the more thay dipped in the busines, finding more difficultie and griter inconuenientis to ensue, thay humelie desirrit some three or foure dayis longer continewation to be aduysed thairwith; whiche being also granted vnto thame, and that tyme being lykewayes diligentlie spent vpoun this subiect, in end, thay gaif in thair reffonis, in write, of the inconuenience of that propositioun, groundit vpoun the sensible and ineuitable euillis that it will produce, alsueele to the nobilitie and burrowis, as to the poore commonis, and labourars of the ground, who, by this occasioun, will not onlie be forced to cast thair rowmes in thair maisters handis, wherethrow thay wilbe depryued of the meanis and possibilitie how to liue and to manteyne thair poore families, bot, with that, thay wilbe turned beggairs, and so become ane havy burdyne to the cuntrey, especialie at this tyme, when the whole land is more fearfullie threatned with extreame penurie and want of victuall, nor in ony other bipast yearis of oure memorie; and whilk is worfe, the cuntrey wilbe far waikned and spoylled of a great number of goode subiectis, who, bothe with thair personis and pursis, wer formarlie contributaris in the publiēt affaires of the estate; and it is weele knowne that the verie first brute and rumour of this intendit restreante, hes alreddie gevin prooffe of this inconuenient, in the personis of diuers

tennentis, who, vpoun this occasioun, hes gevin ouer thair rowmes, or forced thair maisters to diminishe thair rentis; als more particularlie youre maiestie will perfaue by the copie of thair ressonis, whilk we haif heirwith fend vnto youre maiestie. Quhilkis ressonis being at lenthe hard and confiderit at the counsell table, and euery point and article thair of, with the groundis and warrandis of the same, being narrowlie examined and discusst, we, in oure waik iudgement, fand the ressonis to be so pregnant, and the inconuenientis so cleir and manifest, as hardlie could we mak ony obiection thairunto, bot ar constrayned humelie to craue permissioun to represent the same vnto your maiesties heigh and excellent iudgement, by whose vn-speakable wisdome, and cleir seing iudgement, the mistereyis and doubtis that ar conceaued vpoun this subiect may be visibillie discouerit, and your maiesties subiectis, who, vpoun the apprehensioun of this intendit restraint, ar generallie towched with extreame feare and greif for the effectis of so dangerous a propositioun, may in some measour ressaue satisfactioun; ffor we wilbe bauld to assure your maiestie, that the feare wherewith all men ar generallie possest in this mater is so extreame, that the lyke hes not occurrit thir mony yeiris ago in this kingdome. And yf we wald prefoome be oure selffis, without the consent of the esteatis, to send commissionars to treate and conclude vpoun this subiect, without ony respect to thame, whiche, neuirtheles, yf so your maiestie be pleased absolutlie to command, we will humelie obey, we must beg pardoun to declair, that we sie eidentlie, that we shall incur the sclander and generall haitrent of the whole cuntrey, as consentaris to that vniuersall harme, whiche, thay ar perswadit, is maid vndeniable manifest to euery one of ws be thair discourses and thair articlis in write. We ar not ignorant that your maiestie, by your royall power and prerogatiue, may command that to be done whiche, out of your gracious respect to this your natiue cuntrey, yow haue beene pleased rather to suspend, till your maiestie wer informed of the opinionis and reasonis of your faithfull people; and yf thay, being now insinuated to your maiestie, do not appeir sufficient, oure submisse aduyce is, that your maiestie might rather be pleased to signifie to ws the meanes whereby the course of sole transporting of all oure wolls, not draped in this kingdome to England, may be showne to oure people not to tend to that irreparable losse whiche thay vehementlie apprehend, nor to inioyne a preceis



and present performance of the desire of our neighbour cuntry, that our people, being thairby cleared of thair mistaking, and freed of thair so extreme feare of infinite prejudice, may by reason be convinced of thair errors, and induceit to a hearty obedience. To send commissioners to treat, caryeing a resolution not to conclude, appeiris more likelie to crosse the buffynes and offend the partyis, nor to bring it to any goode conclusion; nather expect we, that any commissioners to be sent, will undertake the charge, with intention to exceede the particular instructionis to be gevin to thame, not thinking thame selfis capable to furneis replyis beyond the informationis gevin to thame. Last, yf the purpos it self were more indifferent and les dangerous nor it appeiris, no tyme could be chosen so vnfit for treating of it as the present, quhill we are so destitute of victuall of our awne, and moneyis to buy the forayne; and thairfor, albeit your maiestie think the mater probable, the tyme, in our weak iudgment, appears extreamelie vnfit. All whiche we must humelie submit to your maiesties most excellent iudgment, onlie requesting that your maiestie will be graciouslie pleased to accept in goode part our faithfull endevoiris heirin, wherein no thing wes omittit be us whiche to the duetie of goode and faithfull seruandis apperteyned. And so, praying the Almighty to wathe our and protect youre sacred persone, and to blisse your maiestie with many lang and happy yeiris, we rest for euer

Your Maiesties most humble and obedient  
subiectis and seruitouris,

GEORGE HAY.  
ROXBURGH.  
MELUILL.  
A. MAR.  
MELROS.

CARNEGIE.  
GLENCAIRNE.  
BUCCLEUCHE.  
W. OLIPHANT.  
LOTHIANE.

LAUDERDAILL.  
CRANSTOUNE.  
J. ERSKYNE.  
AR. NAPER.

Edinburgh, 23 January 1623.

To the King his most sacred and  
excellent Maiestie.

CCLXXXIX.—EARL OF MELROS TO THE VISCOUNT OF ANNAND.

MY VERIE HONORABLE LORD,

BECAUS I haue been ane ey witnes to Maister Thomas Nicolfons kind readines to take burding in your lordships affaires, when the earle of Winton and others, of great place and respect, were parties, or had interes in the contrare, I think it my dutie to remember it when his affaires requires your lordships help, as now ane particular concerning the heritable gift of postmaister at Cokbrunspeth offers occasion. The only obiection that is made, is his maiesties vnwillingnes to make heritable offices; but he seekes no office, but only a seruice, without pouer, or iurisdiction, or commandement, wherby he and his aires will be subiect to serue his maiestie and his subiects. When I dailie find the preiudice of his maiesties seruice by the defaults of postmaisters, I wish that all the stages in Scotland and England were assured of seruice by such men as he is; for when I regrate or compleane of the postes faults, I am forced to desist, when I heare that, wanting there pay, and not having meanes of there awne, there pouertie must be accepted for excuse, which his sute will remoue for that stage, and procure assurance of good seruice to his maiestie for his part. All his benefite will be to frie his tennents duelling there, from the danger of oppression of powerfull nighbours; and since I haue knowne much of his affection to do your lordship heartie seruice, I will pray your lordship let him find the frutes of your lordships goodwill in this particular, as an earnest of the like fauour, when he fall haue a better turne to do. So, wishing your lordship all happines, I rest

Your Lordships faithfull friend to serue yow,

MELROS.

Edinburgh, 25 Januar. [1623?]

To my verie honorable Lord, my Lord  
Vicount of Annand, at Court.

CCXC.—EARL OF MELROS TO THE VISCOUNT OF ANNAND.

MY VERIE HONORABLE LORD,

I HAUE receiued your lordships letter, concerning onlie your lordships lands of Theruik, and your decreit aganis Capten Johnston, wherof I haue spoken to Maister Thomas Hope, who hes promised to fie the estate therof, and prosecute the order, as also that he fall compeir in any action that may concerne these lands, to the effect your lordship may be secure by your owne rights, and be free of any other mans danger or courtessie therein. I know the thesaurar depute and aduocat will assuredlie obey his maiesties command in the action wherof your lordship writes, and I fall discharge the dutie I owe for his maiesties interest, and your lordships, to my power.

I haue heard that my lady Rofs, elder, hes dealt with Robert Home to befriend her in the blok of Bagone, and promised to be thankfull to him if sho prevaile in it. I am also informed, that the reuerfion is not so expyred but that Bas, or others having right for him, may get it supplied and made valide; which I haue thoght fit to aduertise according to my dutie, which fall make me euer to remaine

Your Lordships affectionat freind to serue yow,

MELROS.

Edinburgh, 30 Januar. [1623 ?]

To my verie honorable good Lord, my  
Lord Vicount of Annand, at Court.

## CCXCI.—EARL OF MELROS TO THE VISCOUNT OF ANNAND.

MY VERIE HONORABLE LORD,

MAISTER Thomas Hope hauing told me that he would perfew your emoving, but if the improbation concerned your lands, he could not ferue yow in that caufe, be reafon he wes imployed by the other partie to make his fecurities, and to forme his fummonds of improbation, which cannot permit him of dutie to refufe to affift him, whervpon I willed fir James Bailie to deale with Mr Thomas Nicolfon, and, if he haue any lafull excufe, fome other of beft fort will be imployed. I beleeeue that the thefaurar depute and aduocat will do their dutie, as they are commanded by his maiefties letter. Sir James Bailie told me, that Mr John Pape had offered to affigne to your lordship his compyfing and right of Bafs his lands, vpon reasonable condicions; wherein my opinion is, that if your lordship find Bafs willing to bargaine fairelie with your lordship, ye embrace not any offer of this kynd to fkarre him; but if your lordship find in him either vnwillingnes or shifting delayes, withowt hope of reall dealing vpon his part, ye may remit to your friends and lawers the confideration of the fecuritie which may be had of thefe lands, if ye haue ane intention to purchafe them, by whatfoeuer lafull meanes may be offered. And fo, if your lordship be out of hope to fettle with Bas, and defire other meanes to attaine to the bargane, none can feeme fo fit as to agrie with the compyfars and others, who haue good wodfets; which I remit to your lordships confideration, and vpon knowledge of your lordships refolution, I fall giue all the affiftance that can fall in the pouer of

Your loveing affectionat friend to ferue yow,

MELROS.

Edinburgh, 6 Februar [1623?]

After wryting heiroyf, I haue receiued from Mr John Olifant the buskins and gloues, wherby your lordship hes armed me against the extraordinar cold of this seafon, which obliſes me to imploy hands, feet, and heart and all, to performe your lordships commandments.

To my verie honorable good Lord,  
my Lord Vicount of Annand,  
at Court.

## CCXCII.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

ACCORDING to your maieſties directioun of the xiiij of Januair laſt, the captanes of the Dunkirk and Holland ſhippis, lyand at Leethe and Abirdeene, being chargeit to the xj of this inſtant, the buſſynes wes conuayed and caryed with ſuche ſecrecie, as nane of ws, bot theſe whom your maieſtie truſted thairwith, knew of the ſame, till it wes broght to the counfell table, quhen the pairtyis wer to gif thair compeirance. The Dunkirk captanes kepted the dyet; the Holland captanes at Abirdene fend thair excuſe in write in the Flemis language, the copie quhairof, treulie tranſlated (althoght vnworthie of your maieſties ſight), we haif heirwith fend vnto your maieſtie. One of the Holland captanes at Leethe compeirit lykewayes, whoſe ſhip lyis in the harborie, and he excuſit the abſence of his collig, who is his admirall, and lyis in the raid, be reſſoun of ſeeknes. We firſt delt with the Dunkirk captanes, and proponned vnto thame your maieſties ouertour anent the ſuretie of thair depairtour and preuilege of tua tydis, vpoun condition of delyuerie of thair priſonner, quhairunto thay acquieſceit. Thairefter we maid this ſame propoſitioun to the Hol-

land captane, whilk, we enforced with fuche reffonis, as we thocht fittest to cleir your maiesties doingis, to be aggreable to iustice, and to these respectiue dewteis of honnour and correspondence whiche your maiestie indifferentlie keepis with all your freindis and confederatis, and whereunto the custome of nationis in materis of this kynd dois anfuer. His first obiectioun wes anent the ranfoum of the prissonars alreddy releued, alleging that no thing fould be procedit in this buffynes till these ranfoms wer repayit; and one Dauid Jonkeene, marcheant in this toun, who advanceit the ranfoms, and hes a procuratorie for repetitioun of the fame, produceit three bandis, vnder the signett of Peter Vanverrane, captane of the Dunkirk ship at Leethe, proporting, that yf your maiestie fould send ony aduise or directioun anent the releif of the prissonars, or ony of thame, that he fould pay bak the whole ranfoms. Thir bandis being showne vnto the captane, and the performance of thame instantlie vrgeit, he acknowlegeit the bandis to be his awne, bot declynnit the redelyuerie of the ranfoms without a warrand frome the Infanta, or the Spanishe ambaffadour, resident with your maiestie: whilk being proponned be ws to the Holland captane, and he vrged with a present anfuer of obedience or refusall, he excusit him self vpoun the absence and seeknes of his admirall, lyand in the raid, and desirit xxiiij houris continewatioun to be consultit and aduised with him thairanent, promissing that thay fould bothe come and gif thair anfuer (yf the healthe of the admirall wald permitt). This shorte delay being grantit, and the dyet kept be the captane, he maid his formair excuse vpoun the seeknes of his admirall, and still insifted vpoun that point anent the ranfoms; wherupoun, he being demandit yf he and his admirall, and thair colligis at Abirdeene, wald gif obedience incais the prissoner wer releued, and the ranfoms payit bak, and quhat assurance thay wald gif for that effect, he declynned the geving of ane present anfuer, and desirit a note of the propositioun in write, to the end he might commvnicat the fame to his admirall, and be aduisit with him thairanent, promissing to gif answer vpoun the morne thairefter; in whilk point being lykewayes satisfieit, and no forder delay being expectit, he returnit ws this

anfuer, that thay durft not medle in that mater without the aduife of thair colligis at Abirdeene, who had equall intereffe with thame in the buffynes, and thay promeift to reporte a direct anfuer, bothe from thair colligis at Abirdeene and for thame felffis, vpoun the xxv of this instant. Wherupoun, we haueing enterit in confideratioun quhat wes nixt to be done, and haueing refpect thairwithall to your maiefties princelie command and directioun, the effectuating wherof to your maiefties honnour and credite of the cuntrey wes earniftlie wifhed be ws, yitt, we could not foirfee how the fucces could prove anfuerable to your maiefties contentment; ffor yf we had arrested this one captane who gaif his compeirance, his admirall, who is lying in the raid, and who is ftronger and more pouerfull nor he bothe in men and munitioun, and thair colligis at Abirdeene being loufe and free, the detentioun of him wald in no caife haif infured the tua Dunkirkars, nor maid thair departour frome hense free and peceable: and it is lyke aneugh, that vpoun this occafion the fhippis of this cuntrey, who ar bothe ritche, and mony of thame oft tymes in the Lowe Cuntreys, wald haif vnderlyne fome trouble, it being weeke knowne that one of oure fhippis that tradis in Flanders is worthe foure of the beft Holland fhippis that comes heir; and we haueing foundit the opinioun of the baillies of Edinburgh, anent the executioun of that point of your maiefties directioun whilk concernit thame, thay pretendit bothe difficultie and dangeir in the mater, and hardlie wald thay haif bene inducit to vndertak fuche a charge. The confideratioun wherof moued ws to yeild to the faid continewatioun till the xxv of this instant, and we haif fend new chargeis to the Holland captanes at Abirdeene to keepe this dyet, with a directioun to the magiftrates of Abirdeene to caufe this charge be execute, and the fubftance of the fame to be delyuerit to the captanes in thair awne language, that thairby no new friuolous excufe be pretendit vpoun that occafion. And fo, humelie befeeking your maieftie to accept in goode part oure fimple endeouiris in this buffynes, wherin the tender regaird of your maiefties honnour, the credite of the cuntrey, and the difficultie to bring your maiefties directioun to the wifhed end, wes the onlie caufe induceing ws to this con-

tinewatioun. We pray God lang to preferue your maiestie in healthe and happynes, and we rest for euer

Your Maiesties most humble and obedyent  
subiectis and feruitouris,

GEORGE HAY.  
MELROS.  
R. COKBURNE.  
J. HAMILTON.  
A. MAR.  
LAUDERDAILL.

W. OLIPHANT.  
A. HAMILTON.  
ROXBURGH.  
CARNEGIE.  
KILSAYTH.  
J. ERSKYNE.

Edinburgh, xv February 1623.

To the King his most sacred and  
excellent Maiestie.

CCXCIII.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

By youre maiesteis lettres of the fyft, whilk come to oure handis the xij of this instant, we perfaue, to oure exceiding grite greiff, that youre maiestie hes tane offence at the delay of sending vp commiffionaris



to treate vpoun the mater of the woll, fo cairfullie recommendit be youre maiestie vnto ws; and oure regrait is fo mutche the gritare, that the sinceritie of oure most faithfull and humble affectioun to youre maiesteis seruice, hes not producit the effectis wished be ws, of youre maiesteis gracious acceptatioun, according to oure sincere intentionis, onlie respecting youre maiesteis honnour and goode of oure cuntrie, wherein the mony-fauld prooffis of youre maiesteis faderlie cair, ever watcheing and prouyding for the happynes of this estate, assuris ws that youre maiestie will ever accept gratiouflic all that tendis to the fame, and vindicat ws frome the haitfull concepcioun of ony course tending to the contrarie. And we will humelie beg pardoun to protest vnto youre maiestie, that thair never enterit ony fuche disloyall thoghtis in oure hairtis, as myght infer ony suspitioun of youre maiesteis neglect thairof, oure awne consciences beareing ws witnes, that yf we had offendit in that kynd, oure erreure had beene bothe wittinglie and willinglie, aganis the light of oure knowlege; nather did we absolutlie refuse to send vp commissiouners, bot, in all submissiue reuerence, represented vnto youre maiestie the feare and greevis of youre maiesteis subiectis, and oure simple opinionis how thair mistaking and feare might be obuiai and cleired by youre maiesteis cleir and excellent iudgement, that thairby, thay might with reasoun haif bene inducit to a more hairy and willing obedyence: offering oure selffis neuirtheles redde, be oure lettre of the 23 of Januair last, to gif youre maiestie contentment, by making choise of commissiounaris for the said treatie, vpoun the first retorne of youre maiesteis pleasour; lyke as, how soone youre maiesteis lettre come to oure handis, we maid choise of the duke of Lennox, the marques of Hamiltoun, the earlis of Kellie and Carlile, with the laird of Balvaird, and Mr Johnne Hay, to treate of this buffynes. The last tua will, God willing, begin thair iornay within eyght dayes, and will mak fuche diligence thairin as possiblie thay may. And so, most humelie beseeking youre maiestie to haif a gracious and fauourable consideratioun of oure procedingis, and of the sinceritie of oure affectionis to youre maiesteis obedyence, whose contentment, in euery thing belonging to ws, and to the truste that youre maiestie hes reposed of youre affairis in ws, is more

pretious and deir vnto ws nor ony thing els, we pray the Almightye God to blisse youre maiestie with mony lang and happie yeiris, and we rest for ever

Youre Maiesteis most humble and obedient  
subiectis and seruitouris,

GEORGE HAY.  
MELROS.  
R. COKBURNE.  
A. HAMILTON.  
A. MAR.  
LAUDERDAILL.  
W. OLIPHANT.

J. HAMILTON.  
CARNEGIE.  
KILSAYTH.  
ROXBURGHE.  
J. ERSKYNE.  
MELUILL.

Edinburgh, 15 February 1623.

To the King his most sacred and  
excellent Maiestie.

CCXCIV.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

ACCORDING to youre maiesteis directioun, we had maister Williame Kellie befor ws, and earnestlie delt with him to make surrender of these landis boght be him frome the earle of Huldernes, and quhilkis youre maiestie gifted to the said earle, in remembrance of that worthie seruice done be him in the treasoun of Gourye; and we shew vnto the said maister Williame, that youre maiesteis purpois, and the intentioun and meaneing of youre esteatis, in the granting of these landis to the said earle, wes, that the same shold haif remanit with him and his posteritie, as a pleadge and

taikine of your maieſteis bontie and fauour for ſo notable a ſeruice : bot feeing now the ſaid earle had diſponit the ſaidis landis fra him and his poſteritie, ſua that the remembrance of youre maieſteis princelie bontie in that mater ceaffis, youre maieſtie had verie goode reaſoun, in honnour and iuſtice, to returne to youre awne landis (paying to the ſaid maifter Williame the ſowme that he gaif for thame); and we haueing vrged him with a preſent anſwer, he declairit that he wald fend his anſwer to the ſaid earle of Huldernes, fra whome he doubteth not bot youre maieſtie will reſſaue ſatiffaſtioun. And ſo, praying the Almightye God to bliſſe your maieſtie with a lang and happie reignne, we reſt for euer

Your Maieſteis moſt humble and obedyent  
ſubieſtis and ſeruitouris,

GEORGE HAY.  
MELROS.  
W. OLIPHANT.

Edinburgh, xv February 1623.

To the King his moſt ſacred and excellent  
Maieſtie.

CCXCV.—THE LORDS OF PRIVY CO UNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

THIS nobleman, the Lord Coluill, haueing a purpois to go to France, and be the way to kiſſe your maieſteis hand, for folliciting the reeſtabliſheing and ereſtioun of the Scottiſhe gaird and Scottiſhe companie of men at armes, according to thair firſt intitutioun, and the Franſhe king his promeis of tymes made to that effect, the ſaid lord, for the

better advancement of the buffynes, hes maid earnist sute vnto ws, that we wald not onlie recommend him and this his honnorable purpois vnto your maiestie, bot thairwithall that we wald intreate your maiestie to accompanie him with your awne lettre to the Franthe king for the furtherance of the mater. We haueing at lenthe hard him vpoun this subiect, and acknoulegeing his generous dispositioun and tender respect to the credite of his natiue cuntrey, and preferuatioun of the preuilegis of the fame, for procureing whereof, he weyreis not now, in his auld aige, to vndertak so lang and dangerous a iornay, we all allowit of his motioun, and will prefoome humelie to recommend him to your maiesties gracious and fauourable acceptance, and will crave permissioun to intreate your maiestie, that, after conference with him selff vpoun the probabillityis and likliehode of this his purpois, your maiestie wilbe pleased to accompanie him with suche lettres to the Franshe king, as your maiestie, in the excellencie of your princelie wifdome, shall holde fitting; and we ar perswadit thair wilbe no thing wanting in the nobleman, whereby his trauellis and endevoiris in this mater may bring the fame to a goode conclusioun. And so, with the continewance of oure vncessant prayars vnto God for your maiesteis lang and happy reigne, we rest for ever

Your Maiesteis most humble and obedient  
subiectis and seruitouris,

GEORGE HAY.  
MELROS.  
J. HAMILTON.  
A. MAR.  
LAUDERDAILL.  
A. HAMILTON.

W. OLIPHANT  
CARNEGIE.  
ROXBURGHE.  
MELUILL.  
KILSAYTH.

Edinburgh, 20 February 1623.

To the King his most sacred and  
excellent Maiesteie.

## CCXCVI.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

HAVING by oure formar lettre, of the xv of this instant, acquentit youre maiestie, that we had maid choise of the Duke of Lennox, the Marques of Hamilton, the Earlis of Kellie and Carlile, and of the beararis heirof, the Laird of Balvaird and Maister Johne Hay, for the treatie anent the mater of the woll, we layed this charge so hardlie vpoun thir tua last perfonis, and vrged thame with the necessitie of fuche a quick and speedie depairtour, that thay wer forced, notwithstanding of mony laughfull impedimentis, notour vnto ws, to vndertak the charge, without haueing conuenient tyme and laiser to be consultit and aduyfed with the particularis that the importance of fuche a bussynes required; wherein seeing the schortnes of tyme hes preiudgeit thame of the helpis and informationis that wer necessair for this treatie, we mon be bauld, in all reuerence, to crave of youre maiestie, that this defect may be suppleed by youre maiesteis rare and excellent iudgement, and that youre maiestie wilbe gratiousslie pleased to assist thame with fuche light and directioun, in the conduct and handling of this mater, as youre maiestie, oute of youre princelie and tender regaird of the weele of this youre antient kingdom, shall think meete, quhairthrow thay may be encouraged and strenthned to go forward in the treatye, with fuche dexteritie and foirfight, as may procure youre maiesteis satisfactioun, and the credite and weele of this cuntrey. And so, in sinceritie of most humble and submissiue affectioun, praying the Almighty God to wathe ouer youre sacred

perfone, and to bliffe youre maiestie with a lang and happie reignn, we  
rest for euer

Youre Maiesteis most humble and obedient  
subiectis and feruitouris,

GEORGE HAY.  
HAMILTON.  
R. COKBURNE.  
A. MAR.  
ROXBURGHE.  
MELUILL.

MELROS.  
W. OLIPHANT.  
LAUDERDAILL.  
KILSAYTH.  
CARNEGIE.  
J. WEMIS.

Edinburgh, 22 February 1623.

To the King his most sacred and  
excellent Maiestie.

CCXCVII.—EARL OF MELROS TO KING JAMES VI.

MOST SACRED SOUERANE,

THE letter wretin by James Douglas, by youre maiesties direction, to the Lord Chancelar and me, aduertising ws of his highnes suddaine journey to Spaine, being sent by my Lord Chancelar to me, I no fooner vnderstood thereby your royall pleasure, that finifter rumours of that vnexpected resolution might be suppressed, and als litle speech of it dispersed as could be, but foreseing that sermons were to be made the next

day, in all the churches of this towne, I presentlie sent for Maister William Struthers, and directed him to warne all his colleagues to forbear all mention of that mater, till, by better occasion of knowledge of your maiesties will, they might vnderstand how to behaue themselves dutifullie, in a pourpose of such moment. And incontinent thereafter, I dispatched to the archibishops, to take the like order with the ministers of there prouinces, which wes all, that, in a case so much perplexing my mind, I could conceiue to be most fit to effect your maiesties pleasure; albeit I feare it fall not wourk so fullie as I could wish, because the abuse of the posts, of whose slownesse I haue many times compleaned, hes, in this occasion, answered my apprehension: for that letter sent to ws, being directed from Newmarket, by packet, for life, the 21 of February, at eight at night, came not to me till the first of March at six at night, the information of his highnesse journey being knowne heir too dayes fooner, alswell by letters from London, as by relation of such as came from London to this towne by sea, by which meanes the rumour being so disperfed, nothing now resteth, but to make the best constructions that may be thought of, till we fall know your maiesties particular directions, which I humblie desire may be with diligence. And in the meanetime, I fall adde to my incessant prayeris for your maiesties long and constant prosperities, my faithfull and heartie petitions to God, that his highnesse journey, fraughted with our feares for the great trauell and manifold dangers incident to that passage and returne, may tend to his honour and safetie, and your maiesties contentment, and fall, till my death, remaine

Your sacred Maiesties most humble, faithfull,  
and bund subiect and seruant,

MELROS.

Edinburgh, 3 March 1623.

To the Kings most sacred Maiestie.

## CCXCVIII.—EARL OF MELROS TO LORD VISCOUNT ANNAND.

MY VERIE HONORABLE LORD,

I receiued your lordships letter of the fourt, with the submission exped, wherby your lordship hes expreffed uerie generouſlie your conſcientious intention in that queſtion; and if the partie anſuer it not with all reaſon and dutie, your lordship will reape greate aduantage in the approbation of all honeſt men. I cloſed your lordships letters, and delivered that to the Earle of Roxburgh, who, after reading of it, moſt willinglie promiſed to be arbitour for your lordship, to attend the buſines, and proceed by informatioun of Sir James Bailie and your lawers. I gaue to Sir James Bailie the other, to be ſent to the Earle of Buckleugh, willing him to haſte it with one of his oune, deſiring him to come to the towne with diligence, to proceed and bring that mater to ſome end. Maifter Robert Burnet told me, that a coſen of his, of his owne name, would ſupplie his abſence. I haue willed him to diſcharge the witneſſis to come in vpon the 22 day, which was aſſigned to them.

I ſpake with the Earle of Mar for your lordships precept, and finding, by his anſuer, how ſmall hope there wes of moneyes, vrged that ſo much might be aduanced as might buy the materials which I vnderſtood by the maifter of work to be neceſſair; but, before God, I ſie litle poſſibilitie at this time, inreſpect of extreame ſcarcitie of moneyes, and infinit preceding burdings inioyned to the officers. The Vicount of Air wes gone before your lordships letter came. Lag is ſtill heir. Maifter Robert Burnet hes ſent to ſtay the witneſſis. As occaſion fall be offered, your lordship fall be farther aduertified by

Your Lordships obedient friend to ſerue yow,

MELROS.

Edinburgh, 12 Merch, at night [1623.]

To the verie good Lord, my Lord  
Vicount of Annand, at Court.



## CCXCIX.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

YOURE maiesties lettre of the sevint of August last, towcheing the cancelling and deleiting oute of the bookis of preuie counsell, the exemptioun grantit to the Laird of Johnnestoun frome the Earle of Nithisdail, his commissioun and iurisdiction ouer the middleshyris, come not to oure handis till the 28 day of Januair thairafter; and after that we had confiderit thair of, and of the ressonis induceing ws to grant the said exemptioun, wherein, we had no other respect bot your maiesties obedience, the peace of the cuntrey, and the preuenting of occasiounis, whilkis might walkine and steir vp new troubles; and remembering thairwithall, that the earle himself wes present at the granting of this exemptioun, and hard to obiekt aganis the same, and who in a maner acquiesceit thairunto, we thocht the mater to be of that importance, that it required the laird his awne prefence and heiring, and thairfoir we appointit him that day eyght dayis to compeir and ansuer; whilk dyet being kept be him, we proponned and shew vnto him the equitie of your maiesties command and direction, groundit vpoun the reconciliatioun maid betuix the said earle and him, whereby all occasiounis and suspitioun of partiall and wrangous proceedingis on the said earle his part wer remoued, and that your maiestie wes so far persuadit of the said earle his honorable behauour and cariage in that buffynes, and that, by his vpriht proceedingis, he wald so labour to foster your maiesteis goode opinioun of him, as he will stryve to merite your maiesteis forder fauour; wherunto the said laird gaif his answer in write, propoting, in substance, that althocht he distrustit not the honnour and credite of that nobleman, and wald tak no exceptioun aganis him, bot could weeie rely vpoun his faithe and honnour, yitt the malice of certane his freindis and followars aganis some of the name of Johnnestoun, wes als freshe and violent at this tyme as

at any tyme frome the beginning; and for prooffe thair of, he gaif tua instanceis of wrongis committit aganis some of his freindis, be Johnne Maxuell, callit of Castelmilk, one of the speciall perfonis whome the said earle hes entrusted in the executioun of some pointis of seruice, concerning the said commissioun. The first thair of, committit within the burgh of Drumfreis, on a mercatt day, aganis a seruand of the laird of Wamphrais, who wes schote through the thie with a pistoll be the said Johnne Maxuell; and the other committit aganis Williame Johnnestoun of Locarbie, who wes perfewit be the said Johnne, in his awne hause, vnder silence of night, and his man, Alexander Harknes, deadlie hurte. Thir tua pointis being referrit to the lairdis probatioun, and a terme assignit to that effect, in the moneth of Februar last, that dyet desertit vpoun the said Johnne Maxwell his absence, and a new term and dyet wes appointit to the xxvij of this instant; whilk dyet being kept be bothe pairtyis, the laird referrit the tua pointis foirfaidis to the said Johnne his oathe of veritie, who, being deiplye sworne, deponit anent the first point, That he being in the burgh of Drumfreis the tyme libellit, and rydeing home with ane other gentleman, throug Lochmaben streit, thay rancounterit accidentlie, in the narrow vennell, with some of Wamphrais seruandis; and the gentleman and thay haueing fallin in some altercatioun of wordis, and fra wordis to straikis, the said Johnne lighted and drew his sward, and thair wes schoitis and straikis on ather fyde. And anent the other point, concerning Will of Locarbie, he declairit, That he being informed that one Huntair, a fugitiue, wes in the said Will his hause, he went thair to seeke him, and, in your maiesties name, commandit the yettis to be maid patent vnto him; and this Harknes comeing oute, and preassing to flee away, and the said Johnne suspecting him to be the fugitiue, he followit him, bot knowis not yf in the following he wes hurte. This being the effect and substance of the said laird his ansuer, aganis the recalling of the said exemptioun, and of his verificatioun of the same, in maner foirfaid, besydis some verball discourffis, whilkis he had at the bar, all importing a vehement feare that he apprehendis, yf ony of the said earle his freindis and followaris, falbe armed and cled with your maiesties royall pouer and authoritie ouer him and his freindis, for whome he is ansuerable to

exhibite thame to thair tryall befor the rest of the commiffionaris, at ony pairt outwith the burgh of Drumfreis, we humelie present the same to your maiesties confideratioun, and quhateuir youre maiestie falbe pleafit to command thairin, vpoun significatioun of youre maieftis royall will and pleafour, falbe obeyit. And fo, praying God to watche ouer youre sacred perfone, and to prolong your bliffed reignn with mony happie yeiris, we rest for euer

Youre Maieftis most humble and obedyent  
subiectis and feruitouris,

GEORGE HAY.  
MELROS.  
R. COKBURNE.  
J. WEMIS.  
A. MAR.

LAUDERDAILL.  
W. OLIPHANT.  
LOTHIANE.  
CARNEGIE.

Edinburgh, the last of Marche 1623.

To the King his most sacred and  
excellent Maieftie.

CCC.—THE LORD CHANCELLOR AND EARL OF MELROS TO  
KING JAMES VI.

MOST SACRED SOUERANE,

WE haue this day receiued your maiesties letters of the 25, directit to your maiesties thesaurar, aduocat, and ws. They being absent in the cuntrie by occasion of the vaicance, we haue wretin for them, and expect there returne in the beginning of the next oulk. We fall then impart the letters to them, and concur to the faithfull, secret, and speedie

execution of your royall commandments, and giue due and timelie accompt of our diligence. So, befeeching God to grant your maieftie many prosperous and contented yeeres, we rest \*

Your Maiefties most humble and faithfull  
subiects and seruants,

GEORGE HAY.  
MELROS.

Edinburgh, penult May [1623?]

To the Kings most sacred Maieftie.

CCCL.—EARL OF MELROS TO KING JAMES VI.

MOST SACRED SOUERANE,

THESE thrie or foure dayes wee haue beene in an exercise, wherof the counsells lettre will giue your maieftie an true accompt, but I hope your maieftie will be gratiouſlie pleased to pardone me, by relation of all circumstances, to performe the particulare charge of the place, wherewith your royall bountie had graced and trusted me. Vpon Sunday the fourth of this moneth, the Dunkirk shipp, whiche had long loitred in the harbrie of Leith, intended to goe to sea for their returne to their owne port; the experience of alevin moneths stay here gaue them faire opportunitie, to know the estate of oure harbrie, and the firth, and coaste adiacent; they had formerlie made to sea, but at their owtgoing of the port, leaving the vsuall channell kepte by all other shippes of this cuntrie, and of the Hollanders, who, during that space, many times entred and went out to sea, they turned to the east hand, to a shald visible to evrie mans

\* Autograph of Lord Melros.

eye, and their strikeing vpon ground, lay two tides vnder the marcie of two of their ennemies shippes; and so having lost the opportunitie of the heigh streame (the onlie time gevin possibilitie of their going to sea), wer, by help of your maiesties subiects, towed back for their saiftie to the harbrie, where they stayed till Sonday last, and then making owt in the night tide, leaving, as at their first essay, the ordinarie channell, they tooke their course as before, and strake vpon ground in the verie place of their first misfortune; whiche all think to haue beene done of purpose to make shew (for satisfieing, and in effect abusing their princes) of obeying their comandement in their returne, and in effect to find pretexte of their stay here for eshewing danger of combatt; and many say that their pilote, a Scottisman, having tolde them publictly that the course commanded by them to be kept by him wes their manifest vndoing, the captane, drawing his sword, threatned to kill him, yf he went not the way commanded, whiche occasioned all that followed; and after they were by that meanes vndone, before they left their shipp, they strangled the pilote, leaste he should manifest their treacherous cowardise. The trueth of this wil be knowne, and shalbe advertised when the poore pilots murther compleaned of to vs shalbe tried. So soone as the Hollanders perceived their advantage, they drew neir, and beganne to perfew their ennemie with all haste. My Lord Chauncellour, getting knowledge of the combatte begunne when he was going to fermon, sent for the clarke of counsell and ane herauld, and directed a charge to the Hollanders to forbear invasion within the beakin of Leith, and in the verie entrie of the harbrie, for the Dunkirkar wes not a pare of buttes lenth owtwith the peere. The water baillie of Leith could hardlie, after much diligence, move any boate to carie the herauld to the strangers; and when he come and vsed his office to the neereft Holland shippes, he obtaned no obedience. Soone after twelue a clock the Chauncellar went to Leith, with him the Clark of Register and I, fand the earles of Morton, Lothian, and Bukcleuch, and there, wee all resolved to renew oure charge, whiche being executed, the Holland admirall, being fardest from their enemye, did forbear any more shooting, but the other, to whome the charge was first given, still persisted in his disobedience; and so long as the water served, he vsed all

hostilitie. Many houres before that time, Sir James Makoneils bastard, and others with him, pretending a desire to haue help from land, cam ashore, but neuer offered to retorne to their shipp. Two Heiland men, stripping themselues naked, swamme to land, vnder the perrill of their shippes shot directed against them, when the sea barred the Hollanders from further perfute, the whole Dunkirk kippage came to land, abandoning their shippe to spoile, onlie curious, as appeared, to save themselues, their cloathes, swordes, and muskets; bot the rascalls of this cuntrie wer so barbarous, as they fell to spoyle so mercilellie, as my Lord Chancellor and some noblemen with him, being in the sands, could nather, by authoritie nor strokes, stay the disorder. Oure rascalls entred the shipp and vsed spoyle, and seeing some Hollanders come in their boates, left the ship voyde, whiche wes seased and further spoiled by these strangers, who, having placed the Prince of Orange coulours, and made such havock as they pleased, tooke downe the coulours, and retired to their shipp. Then the lords commanded some of oure people to enter the shipp for hir safetie, and directed charges, by proclamation, to the towne of Edinburgh, commanding them, vnder the payne of treason, to put their people to armes to come to Leith, to obey the counfells directions, for your maiesties seruice; and sent Sir Archibald Naper to sie it obeyed, and to cause some cannon, with all furniture, to be broght from the castle of Edinburgh with all diligence. Commanding also, by oppin proclamation, the baillies of Edinburgh and Leith to gett all the workemen of both townes, to bring downe the ordinance. Proclamation wes also made in Leith, that all who should dilate to the clarke of counfell any who had spoyled of the Dunkirkers goods or armes, or reset them, to bring them to the baillie to be restored to their owners, vnder the payne to be repute theeves, rebelles, and resetters of thift, and promifeing to such as should dilate and furnishe probation, that the escheate of the offenders should be gevin them; but to this houre wee haue not found one. My Lord Chauncellar and all the noblemen watched all that night, and, seeing no appearance of convening of the people of Leith, wee gaue direction to a servant of the clark of the counsell to goe with the baillie of Leith, to take the rolle of the names of such as came with armes to the baillie

to ferve, that wee might therby know the abfents; and when the proveft of Edinburgh came verie late, fo evill accompanied, as no true hart could fie without grief, wee gave the like command to inrolle thefe who accompanied him: this night paffing without more fucceffe or harme, the ordinance being flowlie broght from the caftle for want of workemen, to haue beene furnished be the towne, wee fent of new two feuerall times to the Hollanders, craving affurance of their forbearance of furdur invafion. In the forenoone, the one pretended irrefolution till he confulted with his admirall; and after wee had caufed caft trenches for the ordinance, and had it ready to ding vpon one of the Hollanders lying in the drye fands, they draue tyme by delay of aunfwer, and lingring oure meffingers, till they had water to reteare from the danger of our ordinance, and then returned oure meffingers, without affurance of their obedience, intending, as wes thoght, to have brunt the Dunkirkar in the night. In the meanetime, the proveft and baillies of Edinburghe returned, evill accompanied, to Leith; and being preaffed to ferve and guard your maiefties cannon, pretending their priuiledge not to ferve, except within the bounds of their owne iurifdiction, and that the cannon wes planted owtwith their bounds, nothing could be obtained but a promife to furnifhe thriefcoir mufketars to garde the cannon, and to releive their garde the nixt day, with the like nomber, vnder proteftation that it fhould inferr no preiudice by this exemple. The counfell, relying vpon that promife, and being wearied with their toyle of the preceeding two dayes and night, after order giuen for faiftie of the ordonance of the Dunkirk fhipp, and bringing hir to the herbrie, went verie late to take fome reft; but the Chauncellaur being extrem carefull to fie all dangers prevented, arofe foone after midnight, warned the others of the counfell to affift him to fupplie fome appearing diforders, and walking till day, and feing all perils paff till the afternoone tyde, went to Edinburgh. I having ftayed at Leith, went to fie the eftate of the Dunkirk fhipp, and diligence of thefe to whome fhe wes trusted; and finding that they wer able to draw furth and caft on the fands all the ordonance before alleuin houres, follicit-ed them to take paynes to repare the fhipp, that fhoe might be broght within the harbrie in the afternoone, promifeing them recompense of their travells to their owne contentment; and therafter going to fee the eftate of your

maiesties cannon lying beside Sant Nicolas, fand ne liveing man attending them, but two of the ordiners of the castle of Edinburgh, the rest of their number being gone to take their necessarie ease after much travells; and so perceiving that (none of Edinburgh attending as they had vnderaken) two men might have clowed them, I presentlie caused some who wer with me to take muskets and pikes, whiche I had caused bring from my house, and placed them to garde the ordonnance, whiche had beene committed to the keiping of the towne of Edinburgh, till my Lord Chauncellars returne, who, vpon my advertisement, returning speedelie, after some other necessarie directions, commanded all diligence to be vsed for bringing in the shipp, whiche the preceeding day he had caused seafe as your maiesties prise, and set your maiesties coulours vpon hir, and finding necessitie of much help of well affected gentlemen, inrespect of the visibill slacknes of others, to whom it more properlie belonged, he sett all dignitie aside, and being most hartelie assisted by the noblemen and counsellours before named, he not onlie commanded, but, for exemple, played the pioner to tow in the shipp within the harbrie, whiche no travells then vsed being able to accomlishe, your maiestie will vnderstand the finall event by the counsellors letter. I know your maiestie will effend and admire the barbaritie of some of our people, and disobedience of others, but I beseeche your maiestie to beleue that the magistrats of Edinburgh haue taikin extrem paynes, and vsed the vttermoost of their diligence and authoritie, without successe; for the trade of our marchants and mariners with Holland is so profitable to them, and necessarie to the cuntrie, that these respects, ioyned with the opinion of conformitie of religion, and the dislike of the others for disconformitie in that poynte, hath so vniuersallie possessed our cuntriemen, with fauour to the one and hatred to the other, as nather counsellors nor magistrats command or entreatie could procure any service; and yf your maiestie should preasse vs with curious recherche and condigne punisheing the disobedients, I protest to God, I see no probabilitie how wee could performe it; for where the number and power of the perversilie disposed doeth infinitlie surpasse the endeoures of the faithfull and obedient, command turnes to encrease of contempt, and essay to punishe, may turne to violent resistance; and yf my weake opinion may be propounded without your



maiesties displeafour, I wold wifhe that meanes were found for monyes to be a ftoke or *ærarium belli* referued to the lewie of men, and furniture of prouifions, to execute all things concerning your maiesties authoritie and obedience, becaus, by this prooffe, wee haue not to expect that proclamations will doe it, in any matter not gracious to the people; neither wold I wifhe that this fubieët fhould be taiken hold of, fince the contempt of Edinburgh hath beene fo vniverfall, that when the magiftrats of Edinburgh (their charges by their officers being difobeyed) wer forced to enter in mens houfes, and raife them from their tables, they could not draw them to fervice, but rather that your maiestie, feeming fatiffied with the fervice done by honeft men, fhould be provided of meanes to wage fouldiers to punifhe the firft manifelt contempt of bad exemple that fhould hereafter fall furth, and fo renewing *formidinem pænæ* in the harts of the evill affected, they might be reduced, and the faithfull confirmed to concurre to your obedience. Paffion hath ouercome me in fome circumftances of this buffines, and moued me to doe and fay more, both of our owne people and the Hollanders, nor a calmer time and exercife wold haue required; but fince all proceeded of fervour to fie your maiesties fervice advanced, or coldnes rebooked or amended, I will expect your maiesties wonted gracious conftitution and pardon, and fhall euer befeeche God to graunt your maiestie many yeares, with all accomplished contentment, and never fuffer me to liue ane houre after I want a true defire to liue and die

Your Maiesties moft oblifhed, humble, and euer  
faithfull fubieët and feruant,

MELROS.

I humblie craue pardon for vfeing anothers hand to this letter, for I take God to record, that my grief to fie ftrangers attempts tend to wound your maiesties honour, and the difobedience of an ingrat and vngracious multitude of your maiesties fubieëts, with the confideration of your moft deare fones being in Spaine at this occafion, making me to con-

cur with your maiesties counsellors in towne, by toile of bodie by day, and watching by night, since Sonday morning, in hope to help things, albeit without successe (since now the Hollanders haue brunt the Dunkerk ship, in maner particularlie expresse in the counsels letter,) my eyes are so blinded that I could not write, nor had laiser to do it, being forced this forenoone to prescribe to the clerk of counsell the mater of the first part of there letter, and to dite verbatim to him the last half therof. I submislie entreat, that your maiestie may be pleased graciousslie to accept my faithfull intention, and vttermoſt endeours to excuse the defects of the performance of that I owe. And albeit I haue no obligation to the towne of Edinburgh, the multitude taking themſelues in there railings to me as having vsed violence aganis ſome of the diſobedient people, and threatned there magiſtrats with words of contempt; yet remembering how incident errors are to multitudes, when they concerne the intereſt of there gaine or loſſe in their privat, and that they can hardlie be well reduced by rigour, when the nomber paſſis nomber, I will of new beg permiſſion to entreate your maiestie not to take any hard courſe with them at this time, or expreſſe any determination againſt them, but rather to keep your reſolution in ſuſpenſe, and, declaring generallie your diſpleaſure for there vnthankfulnes, your maiestie may be pleased to reclame them by clemencie, mixed with autoritie, at convenient times, with that temper which your maiestie hes in all bypaſt times moſt mildlie and wifelie vsed towards your ſubieſts, with Gods viſible bleſſings, wherof I beſeech him to grant your maiestie perſite and endleſſe continuance, and to me the grace to merite be accounted

Your Maieſties moſt faithfull and obedient  
ſubieſt and ſeruant,

MELROS.

Edinburgh, 7 May [1623?]

To the Kings moſt ſacred Maieſtie.

CCCII.—MR PATRICK HAMILTON TO THE VISCOUNT OF ANNAND.

MY LORD,

THE counsell of Edinburgh having vnderstood by their clark, Mr Johne Hay, how infinitlie they are bound to the constant continuance of your noble favours towards them, and that they owe the acknowledgement of his good successe in their affaires, onlie to your lordships noble furtherance, they are, by their owne lettre, herewith sent to your lordship, humblie to thank and protest their earnest desire and resolution, according to the infinitnes of their obligation, to honour and serve your lordship; and becaus they presume that your lordships regaird to me, as your servant, may possiblie move your lordship to looke with the more favourable eye vpon their affaires for my interesse therein, they therefore sent for me, and thinking their lettre wold not be the vnwelcomer, yf I should accompany it with one of my owne, their instant intreatie hath imposed vpon me a necessitie of this presumption, to begg of your lordship that I may hereby beare a part with them in humblie thanking your lordship, for your lordships so constant and favourable furtherance of their affaires, whiche I hope your lordship will pardone in me, who shall wishe no longer breith then I shalbe readie to bestow it for your lordships service; and so, humblie kissing your lordships hands, I rest

Your Lordships most humble and  
obliged servant,

MR. P. HAMILTON.

Edinburgh, the 15th May 1623.

To the right noble and my speciall good  
Lord, the Vicount Annand.

## CCCHII.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERAIGNE,

BESYDIS the infinite prooffis and experienceis, whilkis this estaite hes ever had of youre maiesties most constant and vnchangeable affection, so lyvelie and powerfullie manifested towardis thame in all occasionis fra tyme to tyme presentit to youre maiesties royall confideratioun, the lait reporte maid vnto ws be the Laird of Balwarde and Maister Johne Hay, commissiонерis in that treatie anent the woll, and quhilk wes secondit by youre maiesties most comfortable lettre, and prudent directioun, send vnto ws, anent the manufacture of the native commodities of this kingdome, hes, to oure exceiding grite comfort, not onlie walknit and steirit vp oure affectionis to a most submisserie and reuerent acknowledge-ment of youre maiesties more then fatherlie care and endles affection towardis ws, whair of we find a daylie grouthe and progres, bot with that, it bindis ws in conscience befor God, and in oure dewtie and alledgeance to youre maiestie, not to conceale, bot to publishe the fame to all youre maiesties subiectis, that we and thay, vpoun the confideratioun of so many grite blessinges flowing vpoun ws frome youre maiesties most comfortable and blissed gouernament, may concurre with oure prayeris vnto God for youre maiesties long and happie reign.

And tuitcheing that point of the manufacture, we haif appointed a meeting of some noblemen, baronis, and burgesis, frome all the pairtis of the kingdome, to be heir in this burgh vpoun the nynt of Julij nixtto-come, whair the buffynes salbe fett a foote and prosequuted, by the best meanes that may bring the fame to a goode perfectioun, to youre maiesties honnour and contentment, and weele of youre subiectis. And so,

continewing oure vncessant prayeris vnto God for healthe, and a long and  
happie lyffe to youre maiestie, wee rest

Your Maiesties most humble and obedient  
subiectis and feruitouris,

GEORGE HAY.  
MORTON.  
A. MAR.  
NITHISDAILL.  
MELROS.

At Edinburgh, the fext of Junij 1623.

We haif thoght meete to acquent youre maiestie, that the names of  
the tua Holland capitanes ar

Vallentyne Deaffau, capitane of the ship callit Sir Lucas.  
Adam Pieterfvander.

To the King his most sacred and  
excellent Maiestie.

CCCIV.—THE OFFICERS OF STATE TO KING JAMES VI.

MOST SACRED SOUERANE,

WE haue diuers times met and feriouſlie consulted, vpon the heades  
of your maiesties letter of the 24 of May, concerning the proceedings of  
the towne of Edinburgh, and some vndutifull subiects, during the hostilitie  
betuix the Hollanders and Dunkerks at Leith, and for obedience of

your royall commandment, do humblie offer to your gracious censure the anfuers following:—

First, we think the spoiling the Dunkerkers of there goods, after there coming to land, to be violent reif, meriting capitall punishment.

The spoiling of the ship by our people, after sho wes abandoned both by the Dunkerkers and Hollanders, to be ane high offence, triable, and feuerelie punishable, by your maiesties secret counsell.

And that those who beakned to the Hollanders to come and seafe vpon the ship left by the Dunkerkers, ar guiltie of fauour and assistance giuen to the Hollanders, who, before that time, by there disobeying the charges giuen to them to keep your maiesties peace, and forbear all hostilitie, by sea or land, in this your maiesties kingdome, wer become your maiesties rebels, and contemnners of your autoritie royall; and that the said fauour wes giuen agains your maiesties confederates, being vnder your maiesties peace and royall protection; which offense being without any knowne exemple, we can not assuredlie resolue, whether it be more proper to be persewed criminallie before the justice, or as an extraordinary and haynous offense, arbitrar to the counsell. Neither can we sie how the towne of Edinburgh, can be compelled to try the committers of the aforefaids crimes and offenses, as that of the seventent day of December, because that tumult wes stirred vp in there pulpet and churches, and executed vpon there calfay by many of there owne burghess, in the presence and sight of the magistrates. But all the disorders done vpon Sondag at Leith, were before the charge giuen to Edinburgh to come thether, so as none of them being at that time in Leith, but one of the water bailies, he wes so busied in doing the counsels manifold directions, wherin he performed his vttermoſt diligence: it seemeth more proper to impose that triall vpon those, who haue that charge from the Dunkerkers, or vpon your maiesties officers, nor vpon Edinburgh, none of there people being knowne to haue been actors particularlie, but a multitude of basse fellowes, alswell of the adiacent cuntrie as of Edinburgh and Leith.

The protestation made by the magistrats wes founded vpon there pretended liberties, granted by there infeſtments, whervpon no instruments being taken, and it being past fra in effect, by there offer of obe-

dience at that time and occasion, by there vndertaking to garde your maiesties canon, as they were commanded; we think there not performing therof to be a direct and wilfull disobedience of your maiesties proclamation, punishable by the iustice, according to the course vsuallie obserued in cases of that nature. And albeit the payne denounced by proclamations, be tinsell of life, lands, and goods, yet we remember not that it hes been vsuallie inflicted, but rather that the parties either becoming in will, or being convict by affise, haue been warded and fyned at the princes pleasour. In this occasion, it is also to be considered, that the suddantie of the accident, and multitude of confused occurrences, permitted not time to direct the proclamation in solemne forme, and to publish it by herauld and trompet, but onlie by a summare warrand, vnfignetted, and published by found of drum. Yet it is vndeniable, that it came sufficientlie to the peoples knowledge; and that not onlie the magistrats came in armes to Leith with some of there neighbours, vpon Sounday, at night, and receiued there directions for your maiesties seruice, by the Lord Chancelar, assisted by the other counsellours then present, and were commanded to returne the next day for the like effect; but also vpon Mononday, wer of new commanded to garde the cannon, which they vndertooke, and did not performe, which makes the magistrats offense vndeniable and inexcusable, vnles they giue vp the names of thrie score of there burgeffis, whom they charged with that seruice. So either the magistrats for neglecting to direct and command, or there burgeffis for disobedience in performing there charge, must be subiect to your maiesties iustice, or to your royall censure.

These, our weake opinions, we humblie offer to your maiesties most excellent iudgement, most earnestlie wishing, that your maiestie may be gracioufflie pleased, by letter, to inquire the minds of all your counsellors before ye direct any persute to be moued against the offenders, because your maiesties precise commandement of secrecie would not permit ws to confer with any man, vpon such difficulties as seemed to ws verie materiall, inrespect of the noueltie of diuers circumstances, the like wherof haue not, to our knowledge, before occurred, or been decided before the counsell or iustice, whervpon, if any thing shold be otherwayes determined

by the skill and number of the rest of the counsell, your maiestie might be displeased, matters not succeeding according to your commandment, and we blamed for the rashnes and error of our opinions, which we fall faithfullie studie to decline, and readelie endeuour our selues reallie to aduance all your royall intentions and commandments, according to our most oblihed dutie; and fall incessantlie beseech God long to blesse your maiestie with most accomplished happines and contentment.\*

Your Maiesties most faithfull and humblie obedient  
subiects and seruants,

GEORGE HAY.  
A. MAR.  
MELROS.  
W. OLIPHANT.

Edinburgh, 13 June [1623.]

To the Kings most sacred Maiestie.

CCCV.—EARL OF MELROS TO THE VISCOUNT OF ANNAND.

MY VERY HONORABLE GOOD LORD,

My packet of the 28 of July [June?] carried your patent. Yesternight, I receiued yours of the 24. This day I could not meet with Sir James

\* Holograph of Lord Melros.



Bailie. I haue caused James Hamilton seek him. If he be found, I fall direct him to try John Auchmouties resolution anent the submission, and if he consent to the forme prescribed by yow, we fall cause draw it vp, and send it to be subscribed, and if he refuse, your lordship fall be aduertised. Albeit he allow the submission, no meeting can be before the 28 of this moneth, because the Vicount Lauderdale\* is to go to Stratherne to morrow, with the Countesse of Roxburgh, to see the Earle of Perth, of intention to stay there the most part of this moneth. I fall also desire Sir James Bailie to deale with Robert Lauder, as your lordship does allow.

The Earle of Winton hes willed me to desire your lordship, if that decreit arbitrall, which I passed betwix your lordship and him, for the bailerie of Cunighame, be in your lordships hands, that it may be sent to be registred, wherenant he sayes, he will write to your lordships self.

I haue desired James Hamilton to cause Robert Creighton speake with me, when he comes to this towne, that I may let him know your lordships care of his good, and my readines to him.

I thank your lordship for shewing to the Earle of Niddisdaill, the truth of my dealing. Many times I told him, that beside the respect I did beare to his owne place and worth, that I wes infinitlie bound to the Marquis of Buckinghams many great and vnderferued fauours, and finding my self vnable to requit them by any seruice to him self, God having so blessed him, as he neither needed the prouffes of my seruice, nor did I see any way to testifie my thankfull minde to him self. I would strue to embrace all occasions to make it knowne by my dutie to his lordships freinds in this countrie, and chieflie to the Earle of Niddisdaill, who had the honour to be nearer to him by alliance. These duties haue obleished me, and I haue beene, and fall be, readie to performe them so far as an honest man can do in my place. My remembrance of the freindship which wes betwix the Laird of Johnston and me, binding me to keep dutie to his sone, will moue some of my lords freinds to think and prease to persuade

\* Viscount Lauderdale was created an Earl 14th March 1624.

him that I can not be dutifull to him, but knowing that his lordship is honorable and wise, I assure my self that he will think that I may discharge honest dutie to both, and will pray your lordship to vse your best credit to remoue all eylists, and increase the occasions of freindship amongs them.

I am glade of the freindship confirmed betuix the Marquis of Hamilton and your lordship, which I fall euer wish to continow, and fall neglect no occasion to cherish it to my vttermoſt, as a mater which imports both your goods, and the contentment of

Your Lordships faithfull freind to do  
yow seruice,

MELROS.

Edinburgh, first of July [1623?]

To my verie honorable good Lord, my  
Lord Vicount Annand, at Court.

CCCVI.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

WHEREAS youre maieſtie wes pleaſed, in the fax hundreth and nynetene yeir of God, oute of youre princelie and tender regaird and

compassioun of the miseryis of the poore, who wer far preiudgeit and hinderit of their almous, and of the cheritie of the people, through the default and scairstie of small moneyis within this kingdome, to grant your warrand for the coynage of fyve hundreth stane weyght of copper, in penny and tua penny peeceis, to the intent that the necessityis of the poore, whilk wes your maiesteis cheif purpois, being in some meafour releued, the intercourse of small commodityis in pennyworthis amongs your maiesteis subiectis, might, in lyke maner, be the better interteyned, wherin your maiesteis warrand and directioun had a goode succes for some certane yeiris, to the grite confort and releiff of the poore, till now of laite, that pairtly through occasioun of this extreame derthe and penurie of victuall, quhairwith the whole land is so vniuersallie visite, bot cheifly by the daylie growthe and increfce of the number of beggaris, who, as we may trewlie afferme vnto your maiestie, ar now become sax for one, it hes fallin oute, that of this whole quantitie of copper formarie coyned, thair is litle to be found now current amangs youre subiectis, quhairthrow, thair cheritie and beneuolence towards the poore, hes bene verie far interrupted and hinderit, albeit thair number be now gritair, and thair miseryis more lamentable and pitifull, nor ever wes seene or hard of in this cuntrey. The consideratioun quhairof, conioyned with the necessity of small money, whilk wes never so vrgent as at this tyme, hes moued ws most humelie to requeist youre maiestie, that your maiestie wald be pleased, by youre lettre, to be returnit vnto ws, to gif your royall consent and allowance for the coynage of other fyve hundreth stane of copper in the spaceis foirfaid, or lesse or more, as the necessity of the cuntrey shall require, and that we may haif your maiesteis allowance to agree, with Maister Cunyeour for the coynage, vpoun suche conditionis as the worke may conuenientlie beare, quhairthrou, the miseryis of the poore, may be in some meafour releued, and that your maiesteis subiectis, who ar verie weill affectit and disposit towards thair supparte, may haif the occasioun, fra tyme to tyme, to extend thair cheritie towards thame. And so, praying the Almightie God to watche ouer your sacred persone, and to continew

and multiplie his bliffingis vpoun your maiestie with mony happie yeiris,  
we rest

Youre Maiesteis most humble and obedient  
subiectis and feruitouris,

GEORGE HAY.  
MELROS.  
LAUDERDAILL.  
R. COKBURNE.  
W. OLIPHANT.

J. WEMIS.  
GEO. ARESKYN.  
MELUILL.  
J. ERSKYNE.  
KILSAYTH.

Haliruidhous, the third of July 1623.

To the King his most sacred and  
excellent Maieftie.

CCCVII.—EARL OF MELROS TO THE VISCOUNT OF ANNAND.

MY VERIE HONORABLE LORD,

YOUR doghters securities of her jointure ar exped, but your lordships owne of your excambium, proceed more flowlie, because Maister Thomas Hope hes not yet gotten from the Earle of Niddifdaill, all the euidents that are requisit for his information.

A poore old fellow, called Thomas Young, seruant to the Ladie Bas, wes before the counsel vpon the first of this moneth, for cutting the Lairdis wode of Presmenane. He alledged that he had the laird and ladies warrand, but shew none to the counsell; but I saw particularlie the ladies warrand, subsciued be her, which I thocht not lafull for making so great wast of that, which belonged to her sone, yet there wes great

opposition made be great men, alledgeing, that since George Hepburne, in whose name the charges were vsed, shew no warrand from the laird, he could haue no place to persew the cutters of the wode. So, as I was forced to propone the caire the counsell shold haue, to prevent distruction of policie, speciallie of wode, which is so scarce in this cuntrie, that the season of the yeer was so vnfit, that what is cutted after this time will not grow agane; and, which was most to be respected, that his maiestie, before his coming to this cuntrie, had, by letter, recommended to the counsel to desire the Laird of Bas to keep and hayne the wode, and the roes that were in it, for his maiesties recreation, wherof we were oblised to wish the like happie occasion; but when it shold fall furth, his maiestie would be displeased to know that this side of the cuntrie, from Beruik to Edinburgh, shold want wode and meanes of his or his sones sport, wherby I obtaned, that the cut shold be delayed till the last day of this moneth, and George Hepburn is directed to produce the lairds warrand for stay of the farder destruction of the wode. My opinion is, that your lordship moue his maiestie to cause signifie to the laird, his pleasure, anent the hayning of the wode and forbearing to cut it, and that he write to the counsell to stay it, till the lairds returne, or whill he send his expresse warrand, in writ, to his seruants. I am perswaded this course will greatlie offend the ladie, because I moued George Hepburne to make this stay. Scho will pretend that it was resolved to be sold for paying ten thousand merkis to the Laird of Congilton, but the shift is vnthrifitie, and will neuer work her end. What is concluded heiranent, must be signified before the end of this moneth, or els the disorder will go on, and will not be gotten longer stayed by

Your Lordships faithfull friend to serue yow,

MELROS.

Edinburgh, 4 July 1623.

Your lordships two letters of the 27 June came when I wes to clofe the packet. Maister Thomas Hope assures me that perfite order is taken for your lordship and Sir R. Gordons securities with Williame Douglas. I think your lordships resolution, anent the tryall of a fervant in Robert Philips place, verie good and wise, that none be trusted, but he that fall be knowne to be sufficient and faithfull. The Vicount Air parted fiftene dayes ago to England. I fall do in the mater of the greeuances, as his maiestie hes commanded, and as your lordship hes wiselie aduised me; and in evrie thing fall assist to my power, that which fall be thought fit by those whom his maiestie trusted with the busines, and fall aduertise your lordship of the progres therof.

If your lordship think that the sight of my other letter would not offend my lord marquis, or preiudge your lordships trust, I fould be glade he know thereby my dutifull respect to his honour and contentment, which I remit to your lordships wisdom.

To my verie honorable good Lord,  
my Lord Vicount of Annand,  
at Court.

CCCVIII.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

WHEREAS the tyme of the changeing of the schireffis, of whome youre maiestie hes the nominatioun, now approtcheis, we haif thairfoir fend vp heirwith, vnto youre maiestie, ane roll of the justiceis of peace within these schirefdomis, to the intent youre maiestie may poynte oute suche, whome your maiestie wilbe pleasit to prefer to beare office for the

yeir to come. Thay who ar presentlie in office ar markit with the lettre P. And so, continewing oure prayers vnto God for youre maiesties lang and happie reignn, we rest

Your Maiesties most humble and obedyent  
subiectis and seruitouris,

GEORGE HAY.  
MELROS.  
A. MAR.

Haliruidhous, the aught day of July 1623.

To the King his most sacred and  
excellent Maieftie.

CCCIX.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

WHEREAS, at the first nominatioun maid of ws, be youre maieftis darrest sone, the Prince, with youre maieftis aduise, to haif the charge of the administratioun and gouernament of his affairis, and leving in this kingdome, we all thoght that youre maieftis awne seruand, James Primrois, wes the fittest man to be oure clark in that seruice, alsweele in regaird of his diligence and daylie attendance vpoun ws, for youre maieftis affairis, as of his sufficiencie and honnestie, verie weele knowne to your maieftie, and to all youre subiectis who hes to do with him in his seruice. Bot it pleased youre maieftis darrest sone, at that tyme, to mak choife of vmquhile Maister James Scott for that seruice, not for ony

dislyke that he had to the other, bot oute of his affectioun to the said Maister James, with whome his heyne was better acquainted, nor with the other. And now the said Maister James being, at the pleafour of God, depairtit this lyffe, we continew in oure formair opinioun, that the said James is yitt the fittest man for the seruice, whilk, in effect, is one with that fame that he hes of youre maiestie; and we perswade oure selfis, that as he hes cairfullie and paynesfullie serued youre maiestie, without the least imputatioun of reprotche, that so he will endeuoir, by the lyke sollicitude and cair, to approue him self to youre darrest sone. And thairfoir, we haif prefoomed now, in the absence of youre said darrest sone (vnto whome we pray the Almighty God to grant a happie returne), to recommend youre awne seruand to your maiestie, humelie requiesting youre maiestie, to latt ws haif youre maiesteis allowance and fauour, to ressaue him in this seruice, vntill it shall pleis God that we vnderstand the prince his awne will thairanent, vnto whome we haif writtin for this effect. The said James is fomutche the more earnest in this particulair, becaus all these who hes ony officeis of youre maiestie heir, ar ressaued in the same officeis vnder the prince, he onlie exceptit. And so, praying God lang to preferue youre maiestie in helth, and to grant vnto your maiestie mony happie yeiris, we rest

Your Maiesteis most humble and obedyent  
subiectis and seruitouris,

GEORGE HAY.  
MELROS.  
A. MAR.  
ROXBURGHE.  
AR. NAPER.

Haliruidhous, x July 1623.

To the King his most sacred and  
excellent Maiestie.



## CCCX.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

WE reffaued youre maieſteis lettre, by the whilk youre maieſtie wes pleaſed to recommend vnto ws, the confideratioun of the feuerall offenſſis committit be youre maieſteis ſubieſtis, in that mater of the Dunkirk ſhip, brynt at Leethe, and thairwithall willing ws, by oure vniforme opinionis, to reſolue youre maieſtie thairanent, vpoun the reſett of this lettre. After that we hard the relatioun of youre maieſteis ſecretarie, concerning the particularis of this buffynes, and finding the fame, in conſequence and example, to be of grite importance and deliberatioun, we had tua meetingis for that purpois, and verie narroulie examined all the particularis recommendit be youre maieſtie vnto ws, and haueing aduiſed and diſcuſt all the obieſtionis and doubtis that wer proponned thairanent, and, firſt, towcheing that point anent the violent and ſhamefull robbing of the companie of the ſaid ſhip, after thay had left hir and come to land, we find, that quhairas occult and preuie ſtouthis ar pvnifheit be deathe, that this violent and maifterfull ſtouthie, committit in day light, in the prefence of twa thouſand perſonis, is a cryme of heighair degree, and will fall vnder the compas of ſtouthie reaffe, and ſo is pvnifheable accordinglie. And towcheing the ſecund point, anent the ſpyll of the ſchip after that the Hollandaris had boordit hir, and ereſtit the Prince of Orange his cullouris, and then left hir, we find that point to be of the natur of ane ciuile actioun, and that it may be perſewit outhir ciuile befor the ordinair iudge, or befor youre maieſteis counſell, as ane oppin violence and oppreſſioun. And towcheing the thrid point, anent theſe who baikynned, and gaif wairning and ſignis from the ſhoir, to the Hollandaris to come and boorde the Dunkirk ſhip, we find, that ſeeing the Hollandaris had diſſobeyit twa chargeis gevin vnto thame, in youre ma-

ieſteis name, be a herauld and trumpett, to obſerue youre maieſteis peace, and to foirbeare the perſuite of the Dunkirkair, who wes lyand on dry ground at the mouthe of youre maieſteis harborie, and ſo, by thair diſſobedyence, profeſt thame ſelfis to be rebellis to youre maieſtie, and contemptnaris of youre royall commandment; that thairfoir all theſe who affordit vnto thame the meanes and occaſioun to perſew the Dunkirkairis, who wer youre maieſteis freindis, lyand heir vnder youre maieſteis protectioun, hes incurrit the pane and cryme dew to aſſiſtaris of youre maieſteis rebellis; bot becaus the criminall tryale of this point wilbe hard and difficle, as depending vpoun a naiked ſigſne, and the concepcioun of ane intentioun in the makeris of the ſigſne, we find it more expedyent, for the better diſcouerie of the trewthe, that the mater falbe tryed befoir youre maieſteis counſell, quhair it may be cleirit be oathe of pairtie or be witneſſis, nor by ane aſſiſe. And towcheing that point quhair the magiſtratis of Edinburgh, being commandit to gaird the cannoun, proteſtit that thay could not be haldin to ſerue outwith thair liberteis, we find, that ſeeing the proteſtatioun paſt onlie an diſcourſ, and wes not ſtand too, bot obedyence promeiſt, that thairfoir no cenſure nor pvnifhement can follow thairupoun. And towcheing the laſt point, whilk hes twa memberis; the firſt, yf the magiſtratis of Edinburgh, conforme to the directioun and command geuin vnto thame, appointit a number of thair toun to gaird the cannoun; and yf theſe who wer appointit, obeyit, we find, that howeuir the pane of proclamatiounis for ryſeing in youre maieſteis ſeruice be ſtrait, that neuirtheles, it can not be fundin, be ony record or memorie of man; that the rigour of the law hes bene inflicted in this point, bot the pvnifhement hes euer bene turned in compoſitionis and fynes. And thairfoir, in oure opinioun, it is meeteſt that the tryall of this mater, falbe remittit to youre maieſteis counſell, who wilbe cairfull to tak the moſt exact tryall thairin thay can, and, accordinglie, will aduerteis youre maieſtie with the progres of thair proceedingis, to the intent youre maieſtie may gif youre awne aduiſe anent the forme of pvnifhement. And towcheing theſe of the toun of Edinburgh, who diſſobeyit thair magiſtrattis, being commandit to attend the magiſtrates to Leethe, we find that thair offence being rather ane omiſſioun of thair dewtie, nor ane con-

tempt, fould be remittit to the magiftrattis thame felffis. This being the effect of oure waik and fimple opinionis in thir particularis, we humblie prefent the fame to youre maiefties confideratioun, fubmitting oure felffis thairin, as in all otheris thingis, to youre maiefties more rair and excellent iudgement, and quhat youre maieftie falbe pleafit forder to command herein falbe accordinglie obeyit. And fo, praying the Almightye to bliffe youre maieftie with mony lang and happie yeiris, we reft

Your Maiefties moft humble and obedient  
fubiectis and feruitouris,

GEORGE HAY.  
NITHISDAILL.  
CARNEGIE.  
W. OLIPHANT.  
GLENCAIRNE.  
BUCCLEUCHE.

AL. ELPHINSTON.  
AR. NAPER.  
MELROS.  
HAMILTON.  
LAUDERDAILL.

Haliruidhous, the firft of Auguft 1623.

To the King his moft facred and excellent  
Maieftie.

CCCXI.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

THAIR wes a petitioun gevin in to your maiefties counfell be the earle of Murray, fleuart of Menteathe, and his deputis, proorting, that his faidis deputis haueing apprehendit vmquhill Duncane Moyll Campbell, a commoun and notorious theif, within the boundis of Menteathe,

in the verie fact of thift and foirning, and haueing putt him to the knowlege of ane affise thairfoir, he wes convict of the faid cryme, and fentence of deathe pronunceit agains him; and his executioun being for fome few dayis continewed, to the intent he might haif had the better occafioun to be reconfild with his God, feeing he wes ane roode, ignorant man, without ony knowledge of God; that in the meantyme, Robert M'Patrik, his brother, accompanied with a nomber of lawles and rebellious lymmaris and fornaris, come to Menteathe, and to the duelling houfe of Patrik Steuart thair, feruitour to the faid earle, whome thay tooke oute of his houfe, and caryed him with thame to the hillis of Glenurquhy, of purpois to haif kepted him as a pledge for releif of the faid Duncane; and thay threatned him with the moft cruell deathe thay could deuife, yf the faid Duncane wer not fett free; and thay fend worde to the deputis, yf the faid Duncane wer execute, that thay fould fend the faid Patrik his heade vnto thame, which moved the fteuart deputis, vpoun trew apprehenfion of the gentleman his dangeir, to refolue vpon fome courfe for his relieff. In the profequitioun whereof, after thay had gottin notice quhair the gentleman wes kepted be the lymmaris, thay maid thair addrefse thair, and fend a meffage vnto thame, firft intreating thame, and thairafter in your maiefties name commanding thame, to fett the gentleman free, whilk thay not onlie refuifed to do, bot enterit in a furious perfuite of the fteuart deputis, and of the gentlemen that accompanied thame, and with hacquebutis, piftollis, and arrowis, perfewit thame of thair lyveis; in the whilk perfuite, it fell oute, be the prouidence of God, that the gentleman wes releued, and three of the lymmaris killed and on apprehendit, who is in handis, and referued to his pvnifhment; and of thefe that wer killed, twa being rebellis for thift and murthour, and the third (althoght a knowne commoun thief) not rebell, fome of his freindis, who, during his vnhappy lyfe, feamed to mifknowe him, hes now, after his deathe, maid fome buffynes, and intentit a criminall perfuite for his flaughter befor your maiefties iuftice; wherupon the gentlemen who wer challengeit haueing meaned thame felfis to the counfell, and, inrefpect of the circomeftanceis of this mater, haueing humelie defyrit that the criminall dyet might be defert, and that thay might haif ane approbatioun

of thair proceedingis in this mater, with ane exoneratioun of all cryme and dangeir that might be imputt to thame thairthrow, your maiesties counsell, althoght thay noway doubtit of the trewth of this informatioun, whilk wes alfua testifeit be a testimoniall in write, produceit befor thame, vnder the handis of a nomber of baronis and gentlemen of the cuntrey, thatt thay wald not prefoome to medle thairwith, bot hes referued the fame to youre maiesteis selff, frome whose meere grace and mercye this approbatioun and exoneratioun must immediatlie flow. Onlie this far, vpoun goode respectis, is done to the gentlemen, thair dyet is continewed to a new wairning of fyfteene dayis, to the intent, your maiestie, after consideratioun of the circomestanceis of this mater, quhilk procedit frome the vnlawghfull taking of a laughfull subiect, and keeping him as a pledge for releif of a condemnit theif, and frome the oppositioun and resistance maid be the lymmaris agains the steuart deputis, and gentlemen that adventurit thair lyveis for releif of the said Patrik Steuart, may extend fuche proportioun of youre grace and mercye to the gentlemen, outhir be remissioun, respectt, or approbatioun of thair seruice, as your maiestie, in the excellencie of your wisdome, shall thinke goode. And so, praying the Almighty God to multiplie his blissingis vpoun your maiestie, with the continewance of mony lang and happie yeiris, we rest

Your Maiesteis most humble and obedyent  
subiectis and seruitouris,

GEORGE HAY.  
NITHISDAILL.  
AD. B. OF DUNBLANE.  
A. MAR.

WINTOUN.  
MELROS.  
LAUDERDAILL.

Haliruidhous, the fyft of August 1623.

To the King his most sacred and  
excellent Maiestie.

## CCCXII.—EARL OF MELROS TO THE VISCOUNT OF ANNAND.

MY VERIE HONORABLE LORD,

I HAUE stayerd vñwryting till I fould heare from the earle of Niddifdaill of the conclusion of the justice court vpon Setterday last, but thinking it liklie that he hes wretin by Carleill, I haue sent the roll to James Douglas, and desired him to request your lordship to let his maiestie know, by sight of it, what is done at that dyet. Sir William Seton came yesternight to this towne. I am forie to heare that maters went croffe betuix the earle of Niddifdaill and Sir William and the maister of Jedburgh, by occasion of there contrare opinions, in a repledgration foght by vertue of Drumlanriks regalitie, which my lord tooke in ill pairt, and promised to aduertise his maiestie. It is reported that the laird of Lag agried in opinion with the other two, but becaufe I know not the certantie, I remit it to the parties owne informations. As I fall learne any thing in your lordships owne affaires, I fall with diligence aduertise, and euer rest

Your Lordships affectionat freind to  
ferue yow,

MELROS.

Edinburgh, 12 August [1623?]

To my verie honorable good Lord,  
my Lord Vicount of Annand, at  
Court.

## CCCXIII.—SIR WILLIAM SETON TO KING JAMES VI.

MAIST SACRED AND GRACIOUS SOUERAINE,

PLEAS your sacred majestie, pardoun my boldnes and prefump-  
toun, by wreitt, to informe your majestie of ane accident fallin out at  
our Court at Dunfreis, the 5 Auguft, whairin the Erle of Nithisdaille, be  
tua letters of your majesteis, the ane direct to him felfe, to Erle Buc-  
cleuche, and Vicount Annan, (noe mentioun maid of ws, the rest of the  
Commiſſioners thairin;) the other, to ane aduocat, designed justice de-  
pute in that behalffe, whose pretendit plaice in our judicatorie, did not a  
lytle confound the fame, the justice generall his plaice, and his deputts,  
haiffing noe compatibilitie with our commiſſioun in a judicatorie. This  
bredd ane not sene heirtofoir (this tuentie yeares past, synce I had the  
honour to be imployed in your majesteis seruice in the Middleschyres)  
confusioun, more publique nor I could haiffe wisched, and debaitte  
nocht comelie in that plaice, the Maister of Jedburgh, Laird of Lag,  
and I, all standing to the commoun course of law, ordour, and day-  
lie practique; the Erle Nithisdaille and Justice Depute, preiffing to  
chaynge the ordour, be the authoritie of your majesteis letter, whair-  
vntoe wee war willing to acquiesce, protesting onlie to be noe aētours,  
whairin, wee had noe varrant contrair to law. Heirypon, questioun  
and debaitte haiffing rissin amongs ws, in all humilitie, I doe prosterne  
my felfe to intreate your maist sacred majestie, your majestie will be  
pleased, incaice misinformatioun of our procedours cuim to your majestie,  
it will pleas yow referue ane eare to our tryall; hoping your sacred ma-  
iestie shall find necessitie of law, lacking all varrant in the contrair, in-  
forced ws to doe that wee could nocht haiff bene comptable for, giff  
otherwayes wee had done. Off the particulers yieur sacred majestie will  
reſſaue farder informatioun be the lords of your majesties priuey counfall,  
after the 20 instant, at whilk tyme wee ar to rander ane accompt to thair

lordshipps. The commoditie of the pacquet, pairting to your majestie, and my present returne from that seruice (haiffing allone the opportunity), hes emboldened me, for the maister of Jedburgh and laird of Lag, conjunct in that seruice, this far to informe your sacred majestie of the premisses. In all submissioun, obedience, and humilitie, taking my leive, wischeing from the Eternall all incres of felicitie to your maist sacred majestie, and all your royall progenie, rests

Your maist sacred Majesties maist submissiue, obedient,  
and humble subject and seruitour,

W. SETOUN.

From Edenburgh, 12 August 1623.

To the King his most sacred Maiestie.

CCCXIV.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

WE reffaued your maiesteis lettre of the xij of this instant, con-  
tening your maiesteis opinioun of oure iudgement and censure of the fe-  
uerall offensfis of these difordourlie people, in that mater of the Dunkirk  
ship laitlie brynt at Leethe, togidder with youre maiesteis awne most iudi-  
tious opinioun, and princelie directioun in that point concerning the ma-  
gistrattis of the burgh of Edinburgh, for that vntymous and vnseafounable  
protestatioun maid be thame agains thair seruice outwith the boundis of  
thair awne liberteis. In the quhilk point, as we acknowlege your maief-  
teis singulair wisdome and most prudent directioun, whiche falbe a pa-



terne and warrand to ws in all occurrentis of the lyke kynd heirafter, and wherunto in this particulair we shall conforme our selffis, so we haif found verie grite contentment, for your maiesteis gracious allowance of oure simple and waik iudgementis in the remanent particularis, concerning this buffynes, and we shalbe cairful, by exact tryale, examinatioun, and censuring of the same, to gif vnto youre maiestie the best satisfiactioun we can. Bot becaus the buffynes it self is of that importance, that it requiris the prefence and heareing of a frequent number of the nobilitie and counsell, and the present seasoun of the yeir is suche, that it threatnis a laite and bruckle haruest, swa that, be appeirance, this mater can not be weele and formalie handlit, nather will the counsell conveene so frequentlie as is requisite during this tyme of haruest, it is thairfoir thought meete by the voices of all these of the counsell that wer present, that this mater shall rest till the begynning of the nixt sessioun, at whiche tyme suche exact ordour shalbe tane thairwith, as the importance of the buffynes requiris. And so, humelie craving your maiesties pardoun for this shorte delay of tyme, wherin we had no other respect bot the formall and ordourlie proceeding in this buffynes, we pray the Almightye God to blisse your maiestie with mony lang and happie yeiris, and we rest for ever

Your Maiesties most humble and obedyent  
subiectis and seruitouris,

GEORGE HAY.  
MELROS.  
W. OLIPHANT.  
WIGTOUNE.

J. ERSKYNE.  
AR. NAPER.  
HAMILTON.

Haliruidhous, the 20 day of August 1623.

To the King his most sacred and  
excellent Maiestie.

CCCXV.—EARL OF NITHSDAILL TO THE VISCOUNT OF ANNAND.

MY NOBLE LORD AND BROTHER,

I HAUE sent out those which I apprehendit for burning of the minister, as his majestie haith directed.

Befoer Conhaiths returne, I was chargit, at the instance of Drumlenrik, to produce his men befoer the counsell: I sent out his majesties letter, and wret to my Lord Chanseller and the Presedent, intreating they wold proffid no farder, till his majesties anfuer sheuld cum, which I did deylie expect; bot the counsell did appoynt the men to be set at libertie, finding cason to compeir befoir the generall Justice, wher they know repleging will be admitted.

I haue sent the letter anent that disput betwixt the commissiouners and me. Drumlenrik in that matter can pretend no ignorance, for a fourt-night befoir the court, in ane discours betuixt him and me, he said that he wald account him felse no moir obliffed to anie man wald bring his regalatie in question, then he intendit to cut his throt; wherto I anfuered, that I sheuld be lothe to be wpon knoledge of cutting his throt; bot my maisters direction wald mak me wfe noe ferimonie to refuse repledging; 'for,' said I, 'what reason can yow have now to tak exseptions moir then yowr father did, in the tyme of the Earle of Dumbar?' His anfuer was, thocht it was his fathers pleasor to doe so to the Earle of Dumbar, it was nocht his pleasor to doe so with me. When yowr lordship fall find fitteft tyme, be remembering that matter of Amiffelds and Clofbornes, yowr lordship fall oblis tuo honest gentilmen. I tak my liue,

Yowr Lordships brother to ferve yow,

NITHSDAILL.

Drumfreis, September the xxix, 1623.

To my Noble Lord and Brother,  
the Viscount of Annand, at Court.

## CCCXVI.—EARL OF NITHSDAILL TO THE VISCOUNT OF ANNAND.

MY NOBLE LORD AND BROTHER,

I MERVELL nocht a lytle of that motion which Conhath maid anent the cafualaties of the Borders, for, as God is my witnes, I never intendit anie fuch thing; nether fall it ever be hard of, that I fall medle with fuch bafs fhifs, for my poore fervice, if it fall be virthe the thinking, the recom-pance fall cum from our maifteris his oun hands.

I perfaue it fall nocht be pofabill for me foe cairfullie to ouerfie the particulers of your lordships cuntrie biſſines heir, exept yow appoynt ſum man or other to vach over yowr offisers. I vald nocht haue yow to nominat anie penſion for the ſam, bot according as they fall deſerve; for the moiſt pert of this cuntrie is leyk to be waift for falt of tennens, and I perfaue the offisers louks nocht cairfullie to that poynt.

I cummandit Mathow Wilſone to leid the teins of Caſtelmilk. I cummandit the hoill tennents to attend the leading therof, bot I heir ther is nothing done after he had undertene the ſam; nather wald Mr David Rodger tak them, for that yow ar bond to pey. Yow haue been ivill wfit in all that blok, as yow will cleerlie fie.

Be all apperence, wnles yowr lordſhip tak ſum ſpedie cours with the ſtewartrie of Annendaill, it will goe to confuſion; for a greit manie lands lyeth waift, the tacsation wherof yow muſt pey, and then ſeik yowr relive. If yowr lordſhip will frie the commiſſer of Drumfreis of that truble, I knoe no man moir fit for the place: fikleyk, all thoſe cafualatis belonging to that office is ſeaſit wpon for the king. If yowr lordſhip will ſend me doune yowr mynd, I will doe my beſt for your weall in all theſe particulers. I hear nocht of anie cair wfit for yowr credit, be thoſe which yow haue appoynted for yowr gard; nather doe I heir whom yow haue plaffid, for tuo or thre war put out, or if yowr lordſhip will haue fyue moir, as my Lord Bukcleughe and I haue allowit. If your lordſhip haith mynd to prefer them yowr ſelfe, let me know: if yow will truſt it to me, I fall do what

confers yowr honour therinto. I think strange that Sir George Elphinston should haue maid anie motion of my upcuming, much moir of my wyfis. I haue fund the smart of wafturrie in that pert sufficientlie allredie; nather doe I ever intend my wyfe fall cum thair, vnles be the direction of my lord Duke of Bukinghame, I may be assured to be bettered be the woyage. For my oune wpcuming, if yowr lordship fall think it fit, efter yow haue spokin my Lord Bukinghame, short advertisment fall serue.

I am forie that George Hariot is put in such fear and distast with me, as I heer be Sir George he is, for his securitie may be good enough, if he wald be pleasit to furnis sum mun[ie]. I protest befor God ther fall be no means to hould of discredit, that I fie, since no munie may be had from thence, the miserie of this land is such. God send the prince and my lord duik weall home.

I haue hard nothing as yeat from Mr Thomas Hope, bot I haue wretin to him. As I hear, I fall acquent yowr lordship.

My Lord, houeuier men sheuld senfor yow or me, in owr maisters service, it must not mak ws shrink; bot vnles the prince and the marques be home befor Martinmes, I feir the strong hand agenst reason mar owr good intensions. I attend yowr direction in all things as

Your Lordships brother to serue yow,

NITHISDAILL.

Drumfreis, September the xxix, 1623.

I haue caufit proclaim ane iustice court to the fixtein dey of the nixt moneth. The outcry of poor prifoners, and of the toune of Drumfreis with mantening of them, haith maid me haift the sam.

To my noble Lord and Brother, the  
Vicount of Annand, at Court.

## CCCXVII.—SIR THOMAS HOPE TO THE VISCOUNT OF ANNAND.

PLEIS YOUR LORDSHIP,

I RESSAUIT your lordships twa letteris yesterday, together with the band of dispositioun of Castlemilk, in fauouris off the earle of Nithifdaill, and I find that sam fault quhilk your lordship hes markit, anent the haill myln; for in the alienatioun off the thrid part to your lordship be Kirkhous, I find the thrid part myln infert. Now, heir wilbe the difficultie: If, in the rychtis made to your lordship be Mr Nathaniell Edwards, the haill myln be wntennit, the erle of Nithifdaill will alledge, that he must haif all from your lordship, quhilk your lordship hes from Maister Nathaniell. Bot in this I can not resolue, quhill I fie the rychtis made to your lordship be Maister Nathaniell, quhilk ar in the erle of Nithifdailles handis; and vpon the schow thair off, I fall travaill to remove that dout, for it is nawais reffonable that your lordship fould quyt that rycht, quhilk your lordship hes your nephew Kirkhous. And as to this band, quhilk is subferyvit be your lordship, it must be alterit, both in that off the myll, and vtheris heidis, quhilk I haif obseruit, and fall caus draw vp ane new dispositioun, and maik it with my hand; but this must rest till I meit with the erl of Nithifdaill, and bring his lordship, by reffoun, to aggrie to sic heidis as must be changit; and in the meane tyme, I fall wryt to the erl of Nithifdaill, and schaw his lordship, that I haif the band in my hand, and dois attend his lordships presence, or sum of his fervandis, with the writtis made to your lordship from Maister Nathaniell Edward, for reforming thair off.

I haif this day, being the counsell day, causet mak resignatioun in your lordships fauores, both of the lands contenit in the contract of excambioun betuix your lordship and the erll of Nithifdaill, and als off the lands con-

tenit in the dispositioun made to your lordship be Kirkhous. And for the rest of your lordships effaires, I attend the ansuer of my letteris, writtin to Robert Macbrair and William Hayning; and so sone as I haif it from thaim, I fall put order to all your lordships buffines, both for the excambioun with the erl of Nithisdail, and als for Halywod; and to this effect I fal defyre my lord of Nithisdail to contriue with tham for the mair quik dispatche off that matter off the tenandis and property of Drimfleit.

I wret laitlie to your lordship in fauouris of my brother, James Hope, in Diep, fra quhom the customeris hes takin sum fiftie merkis worth off gold threid, he being ane strangear, and his factres not knowing the stricknes off the lawis: And I humblie entreat your lordship to imploy your lordships fauor and credit for restoring to him off his guids, quherin I know Sir James Baillie wilbe maist readie, at your lordships command, to imploy his travailles and best help. So, my humble and bund seruice rememberit, I commit your lordship to the grace of God, and restis

Your Lordships humbill and faythfull  
seruitour till death,

SIR THOMAS HOPE.

Edinburgh, 1 October 1623.

My Lord Chancellor is to be at court schortlie; and his lordships loue and respect to me is so abundant above my merit, that I trust he fall motioun my signatour to his majestie; and therfor, if my lord speik tuitching thairanent to your lordship, you wilbe pleasit to gif fuche concurs as your lordship thinkis meit for the buffines.

To the rycht honorabill my verie  
guid Lord, my Lord the Vicount  
of Annand.

CCCXVIII.—EARL OF MELROS TO THE VISCOUNT OF ANNAND.

MY VERIE HONORABLE LORD,

I RECEIVED your lordships letters of the 18 and 21 of September. These who are suspect of the burning of the minister of Kirkpatricks house, were sent to this towne yesternight, by the earle of Niddisdail, and are to be exactlie tryed by me, and some others of the counsell, to whom the lords haue giuen commission to that effect.

The commissioners of the Bordours are ordaned to be summond to the next counsell day, to the effect, tryall and order may be taken with the busines, which fell furth the last court, according to his maiesties direction. In these, and all other his maiesties seruices, I fall studie to approue the continuance of the faithfull duetie I owe, and haue kept in time bypast, and fall prosecute, God willing, to my liues end.

I can learne no thing of any dealing in the laird of Baffis affaires, but that he hes wretin to some of his creditours, to superfeed their principall fowmes till Witsonday, promising to satisfie them, before that time, either with lands or moneyes, to their contentment.

I haue not heard from Robert Makbrair, but this day I saw a letter of the earle of Niddisdails to Alexander Maxuell, his agent, willing him to deale with Maister Thomas Hope, to perfite your contract of excambium, and other securities, according to your aggreements. So, till farder occasion, I commit your lordship to God, and rest

Your Lordships affectionat freind to  
serue yow,

MELROS.

Edinburgh, 2 October [1623?]

His maiesties letter to the magiftrats of Edinburgh was deliuered in due time. I dowl not but themfelues will giue accompt of their obedience.

I begin to find myself verie vnfit for trauell, and that cold doeth me much harme in winter, and therfore, must be so homelie as to pray your lordship, to informe Sir James Baillie, what furies will be fittest for myneck and bodie, that he may buy them for me, and at his returne I fall giue him what he fall disburse.

This morning Maister Thomas Hope hes told me that he is forced to delay the finishing the contract of excambium, whill he receiue anfuwer from Robert Makbrair and William Hayning, to whom he wrote to meet with some of the earle of Niddisdails freinds, and try and report to him, in writ, the trew estate of the lands, superioritie, and propertie, and rent therof. He hes also wretin to the earle of Niddisdail to send the writs of Castlemilk, that he may perfite your lordships securities therof.

To my verie honorable good Lord,  
my Lord Vicount of Annand, at  
Court.

CCCXIX.—THE LORDS OF PRIVY COUNCIL TO THE LORD CHANCELLOR.

AFTER oure verie hairtlie commendationis to your goode lordship, your lordship rememberis, how, that in the moneth of August last, the kingis maiestie, haueing recommendit vnto ws the tryeing and pvnisheing of the insolence and misbehauour of his maiesties subiectis, in that mater of the Dunkirk ship, brynt at Leethe, according to the natur and qualitie of the feveral offensis, concurring in that earand, we, by oure answer, returnit vnto his maiestie, excusit oure selffis, anent oure not proceeding thairin at that tyme, in respect of the importance of the buffynes, whiche requirit the preface and heiring of a frequent number of the nobilitie and counsell; and that the seasoun of the yeir wes fuche, that it threatned a laite



and bruckle haruest; and promeis wes maid vnto his maiestie, that, at the beginning of this fessioun, that mater shold be putt to a point. Bot now, we, haueing confidderit that this persuite and tryale will stryke cheiflie agans the magistrats and bodie of the burgh of Edinburgh, and being doubtfull, yf his maiestie, will allow of the said burgh as a fitte and conuenient place for prosequitioun of that tryall, we ar thairfoir verie desirous to be consultit, and resolued by his maiesteis cleir and excellent iudgement in this point; and for this effect, we will eirnistlie requeist your goode lordship, at some fitte oportunitie of his maiesteis laifer, to found his maiesteis opinioun thairanent, to the intent that accordinglie we may conforme oure selffis thairunto. Your lordship knowis that thair wilbe a verie grite difficultie in the discouerie of the principall actoris and offendaris in this bussynes, seeing we haif none to gif ws ony light nor informatioun thairin; and these who wer agentis, and thairby pretendit to haif interessie in the same, hes neuer troublit thame selffis thairwith, nor neuer dilaitit nor gaif vp to ws the name of ony one guiltie persone, and thay ar now at courte. Alwayes, thair falbe no thing wanting in ws, quhairby, according to oure bundin dewtie, we may gif vnto his maiestie satisfactioun heirin. And so, attending your lordships answer, with the remembrance of oure best and hairtiest affectionis, we committ youre lordship to the protectioun of the Almightye. Frome Edinburgh, the faxt day of Nouember 1623.

Your Lordships verie loving and assured goode freindis,

MELROS.  
J. ERSKYNE.  
KILSAYTH.  
A. MAR.

ROXBURGHE.  
LAUDERDAILL.  
W. OLIPHANT.  
AR. NAPER.

To the right honorable, oure verie  
goode Lord, Sir George Hay of  
Kinfawnis, Lord Heigh Chancellor  
of Scotland.

## CCCXX.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

THAIR wes a presentatioun, signed be youre maiestie, and gevin in to be exped be ws, in fauouris of George Quhyteheade, by the whilk your maiestie wes pleised to present him as tennent and vassal to the Lord of Coldinghame, in the landis of the Northfeild of Coldinghame, with the teyndis thair of includit, whilkis fell in your maiesteis handis, by the foirfeytour of the laite Earle Bothuill, whereof some notice being gevin to the Earle of Hoome, and the Countesse, his moder, and thay pretending to haif speciall interesse in the buffynes, thay maid earnest sute vnto ws that thay might be hard afoir the presentatioun wer exped, wherin thay being satisfieit, as a point whilk, in a mater of this kynd, could not with resoun be refused, and a dyet being appointit vnto thame, and to Frances Steuart, sone to the said laite earle, be whome this buffynes, for the pairt of the said George, wes sollicit; and the said dyet being accordinglie kept be thame and thair procuratouris, the one very instantlie vrged the benefeit of youre maiesteis presentatioun, and the other, with the lyke instance, vrged the stay of the same till your maiesteis awne pleasure wer knowne; and diuers reffonis wer proponned, *hinc inde*, in that mater, whilkis, with the importance of the buffynes, being at lenche considerit be ws, we fand it more expedient, for the weele of bothe pairtyis, that the presentation should stay some certane space, till youre maiestie, after consideration of thair reffonis, *hinc inde*, sould, oute of your awne cleir and sound iudgement, direct ws how to proceed thairin, nor rashelie to gif way to the said presentatioun, whilk might breid proces and pley betuix the pairtyis, and trouble and fascherie vnto your maiestie. Whereupoun it wes desirrit, for the pairt of the Earle of Hoome, and the Countesse his moder, that thay might haif the fauour to send vp thair reffonis, in write, to your maiestie, for your better informatioun anent the trew estate of this mater; whilk being grantit vnto thame, and lyke-

wayes vnto the said Frances, and this present nynt of December being appointed vnto thame for geving in thair reffonis, in write, to haif bene fend vp heirwith, we ar informed, that, in this meantyme, the said Frances in perfone, and the Earle of Hooke, be a feruand, hes tane thair iornay, and ar vpoun thair addresse towards your maiestie, without geving in of thair reffonis to ws; and so, leaveing thame to thair awne informationis, these ar onlie to acquent your maiestie how far wes proceidit in this buffynes befor ws. And praying the Almighty God to watche ouer your sacred perfone, and to blisse your maiestie with mony lang and happie yeiris, we rest for euer

Youre Maiesteis most humble and obedient  
subiectis and feruitouris,

MELROS.  
W. OLIPHANT.  
KILSAYTH.

LAUDERDAILL.  
AR. NAPER.  
A. HAMILTON.

Edinburgh, 9 December 1623.

To the King his most sacred and  
excellent Maieftie.

CCCXXI.—AL[EXANDER] COLVILLE TO THE VISCOUNT OF ANNAND.

MY HONORABLE LORD,

ITT is not verie long since I vrett to your lordship, anent the election of a Justice Clerk, and now I perceawe that his majestie, by his happie choyce of Sir Archibald Naper (a worthie gentleman, and a conscientious), hath bene both informed and furthered to do so by your lordship; quherin your lordship hes performed a worthie vork, and ac-

ceptable to God, and a singular seruice to his maiestie, and ane exceiding great plesur to your countraymen. And now, haweing proof of your lordships goodnes, and respect to further good errands, I am bold to trouble your lordship with a poor petition for my self, quhilk is this: your lordship shall be aduertised that I haue serued this fax yeirs to his maiestie as Justice Deputie, hawing onlie the fie of v<sup>e</sup> lib. Scot, quhilk is both so litill and so badlie paid, that, in effect, it seemis nothing, 3a, scarcelie sufficient for my servant, so exorbitant as the pryces of all thingis in this part; and the Lord knois that, of vther casualities, I haue not on penny, because all the casualities of the place belong directlie to his maiesties thesaurer; so that my seruice and attendance is great, and my allowance so litill, that I can not do it, by any means, without my great preiudice. Therefore, I am to entreat your lordship, that, owt of your lordships accustomed goodnes, 3e vould spaik on fauourable vord to his maiestie for me, and that he vould direct the Earle of Mar, theforer, and Sir Archibald Napier, his maiesties thesaurer deput, to consider of my particular, if ather my information be fals, or if the dignitie and burden of the place requyrs not sum further consideration, that I may be the better encouraged and enabled to serue his maiestie in all syncerite and humilitie: This fauer I expect of your lordship, and that it would pleis your lordship to oblish a scoller, that honores your lordship, so far as ony lord living, and shall mak it known, be sum speciall testimonie, how far I ame your lordships deuoted seruant. In this hoip of your lordships fauerable report to his maiestie of me, I will rest, still vising to your lordship all health and happines, as earnestlie as I shall euer rest

Your Lordships humble and affectionate seruant,

AL. COLUILL.

Edin. xi December 1623.

To the right honorable his special good  
Lord, my Lord Vicount of Annand.

## CCCXXII.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUVERAINE,

WE receaved your maiesties lettre, of the third of December, by the whiche, your maiestie wes pleased to command vs, to try and informe our selffs, if your maiesties lands in Orkenay and Yetland may be raised to any considerabable greater rent, *communibus annis*, then Sir John Bughannan payeth for the same, without heighting of the tennents to a greater dewtie, then they payed to the erles of Orkenay, or ar able to pay; and if thair be no appearance thair of, that then we fuld advyse, if it be expedient, to sett the saids lands in ffeue for the said rent, and to returne our opinions thairanent vnto youre maiestie. Vpon the reffait of this lettre, we enterit to a consideration of the first pairt and article thair of, and hauing hard youre maiesties thesaurar deput (who hath bein verie cairfull to informe himselff of particulars for your maiesties forder benefit), and having learned vtherwise what we both, out of our owne knowlege, and by the information of suche indifferent gentlemen of the cuntrey, who have no entres in the busines, we find, that (howsoeuer in thir yearis, when in extreame scarcetie hath raised cornes to ane excessive pryce and dearth), a provident takisman may receive a good superplus aboue your maiesties rent, if he can get full payment of the haill fermes, whilke hath naither bein done these last yeares, nor is it to be expected in any pairt of this kingdom, till it pleas to send better seasons and greattar plentie, by whiche cornes being brought againe to thair vsuall pryces, we think that rent the vtter availl whiche may be had for these lands, without heighting of the tennents, who ar well knowne to be, for the most pairt, verie poore people; and who culd neuer be able to pay the duties wherto the Erles of Orkney, respectiue aneuch of thair awin profite, have raised them, and which they now pay, if thair poore forme of living, speciallie in taking and feeding on fishes, did not enable them. And we hauing lykewise conferrit the

present eftait of the tennents, and the oncertaintie of the rent, with the affurance and conftancie of a fettled rent, that will aryfe from the ffewing of the lands, wee ar all of ane opinion, that it is moft expedient for youre maiefties hon[or, and] good of the cuntrey, and fetling of ane conftant and onchangeable rent to your maieftie, that the lands be ffewit for the dutie that is now payit to your maieftie, for the fame whilkcs particulars, remitting to youre maiefties wyfe and princelie confideration, etc.

CHANCELAB.  
MAR.  
MORTOUN.  
SANTANDROIS.  
ROXBURGHE.  
MELROS.

LAUDERDAILL.  
CARNEGIE.  
KILSAITHE.  
W. OLIPHANT.  
A. HAMILTOUN.  
AR. NAPER.

Edinburgh, 20 January 1624.

Copy—The Counfaills letter to  
hes Maieftie concerning the  
heighting of the lands and  
Earlldome of Orkney.—1624.

CCCXXIII.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

Vpoun the refett of your maiefteis lettre of the fourte of Februar laft, towcheing the Middlefhyris, we appointit a meeting of the commiffionaris to be heir at Edinburgh, vpoun the xxiiij of this instant, alfweele for ane accompt to haif bene gevin be thame, in fuche pointis exprest in your maiefties lettre, as concernit thair charge, as for thair

aduise and opinioun to be gevin to ws, in the remanent pointis of the said lettre recommendit vnto ws. Whiche dyet being accordinglee kept be the Earle of Bugcleugh, the Lord Cranstoun, James Maxwell of Kirkconnell, Sir Andro Ker, Sir Williame Seytoun, and Sir Johnne Murray of Phillaphaugh, (the Lairds of Lag and Amiffeld, being vpoun some necessair occasionis excuist); and your maiesties missiue being punctuallie red vnto thame, and euerie article thairof weeie confidderit and aduifit, and first that point anent idill livaris, who hes found caution for thair dewtifull behaiour, becaus, in the tryall of thair contrauentioun, findrie thingis may be interprete to be a contrauentioun, and to infer the penaltie of thair band, quhairof the nature and qualitie of the offence, will not, by rigour of iustice, deserve fuche a pvnishment; we haif thairfoir, with the commissiounaris awne consent, authorized thame, with warrand and authoritie, to conueene befor thame all fuche personis, within the boundis of thair office, as by thair transgressionis hes violat thair cautionaryis, and to tak particulair tryall and notice thairof, and of thair present estate, and quhat hes bene thair bipast lyffe and demeanour, sen the finding of thair caution, to the intent, that, after confideratioun of the nature of the transgres, and qualitie of the persone, we may modifie the fyne accordinglye. And towcheing these that hes not found caution; becaus it is lyke anewgh that some of thame (althoght thair bipast behaiour hes bene blameles) can not gett caution, we find it hard, that personis of this kynd falbe subiect to the rigour of the act of transplanting; and thairfoir we haif recommendit vnto the commissiounaris to informe thame selffis how mony of thir personis ar alyve, quhair, and by quhat meanes thay live, and quhat hes bene thair behaiour sen thay sould haif found caution, and to mak reporte thairof vnto ws, that thairafter we may gif directioun anent thame accordinglee.

The secound point of your maiesties lettre, towcheing the promiscuous libertie tane be all personis at thair pleasour, to repair to and fra Irland, quhairby malifactoris hes the meanes to eschew the hand and straik of iustice, hes bene verie aft debaitit at the counsell table, and diuers meetingis and conferenceis hes bene had vpoun that subiect, be personis selectit for the purpois, without ony certane conclusioun; and at

last ane commissioun wes gevin to twa men, who vndertooke, be thame selffis and thair deputie, to attend at all the sea portis towards Irland, and to be anfuerable that nane bot laughfull perfonis and goodis fould be transported; bot this commissioun turned first in ane abuse and grevance to the subiectis, and thairafter wes altogidder desertit and left; and we haueing at lenthe conferrit with the commissiounaris heirupoun, we ar all of opinioun, that the satling of ane constant ordour, in this mater, will depend vpoun a mutuall correspondence to be kept with ws at the opposit coist in Irland, wherin, becaus the aduise of some of the vndertakaris for the Irishe plantatioun, and of the commissiounaris for the Middleshyris, with some of the burrowis in the west cuntrey, is requisite, we haif appointit a meeting to be heir at Edinburgh, in the moneth of July nixt, for that earand; and we haif writtin to the Vicount of Ardes, the Lord Clanebewye, to send heir some sufficient gentlemen for thame to this dyet, instructit with thair best aduyse and opinioun, concerning this bussynes; and we haif lykewayes writtin to the rest that ar in this cuntrey, and we hoip, that at this meeting, fuche a goode course salbe resolued vpoun, as shall procure youre maiesties contentment and goode of the cuntrey.

And towcheing the thrid point of your maiesties lettre, anent the repairing of fugitiues and suspect personis, to your maiesties courte, for eschewing of tryall, thair hes bene findrie proclamationis maid to that end; and we haif now, with the commissiounaris aduise, gevin warrand vnto thame to mak a cleir roll of all the fugitiue names within thair boundis, and to send the same to courte, to fuche a persone as your maiestie shalbe pleasit to mak choise of, who shall apprehend all fuche personis contenit in the roll, as hes not a note vnder the hand of the commissiounaris clerk, that thay haif abiddin thair tryall, and bene acquate of all crymes, preceding the dait of the roll, wherin thair names ar contenit, and euerie fuche persone that salbe so apprehendit and send home, shalbe examplarie pvneist.

Whereas informatioun hes bene maid to your maiestie, that commissiounis hes bene gevin to priuat men, within the Middleshyris, for tryeing and pvnisheing of offendouris, to the preiudice and discredite of your



maiesties awne commiffionaris, your maiestie shalbe pleasit to knowe, that thair hes bene no commiffionis of that kynd grantit, bot one to the Earle of Roxburgh, aganis his awne remouable tennentis, and for the space of ane yeir allanarlie, whose place and worthie behauour, in all materis commendit to his charge, and speciallie in this seruice, wherin he bearis a burdyné with ws, moued ws to entrusté him with that commiffioun, and whiche now, vpoun the knoulege of your maiesties pleafour, he hes renuncit and dischargit. Bot where baronis infest with priuilege of pitt and gallous, apprehendis a theif with a fang, and neglectis the tyme deu for his tryall, whilk is xxiiij houris, we, with consent of the commiffionaris, do think it more expedyent to gif commiffioun to fuche a baroun for doing of iustice vpoun a malefactour of that kynd, nor to referue him to the tryall of the commiffionaris courtis, becaus it often fallis oute, that thir beggarlie thevis hes not of thair owne to interteyne thame, and fwa thay must owther ly vpoun the baronis charge, or then sterve for hungar; and of this kynd thair hes onlie bene twa commiffionis past, one to the Lord Garleis, aganis a theif, apprehendit be him, with a fang; and ane other to the Laird of Johnnestoun, aganis a theif of this same kynd. Anent granting of remiffionis to bordour men for hacquebutis and pistolettis, thair hes no fuche remiffionis bene grantit, nather fall ony be grantit in tyme comeing.

And towcheing the last point of youre maiesties lettre, anent the disarmeing of the Bordour men, we, and lykewayes the commiffionaris, ar of opinioun, faulffing your maiesties more excellent iudgement, wherunto we fall conforme our selffis, that it is not expedient that these who hes found cautioun, and levis vnder the obedience of law and iustice, falbe subiect to this article, becaus that wilbe a speciall meane to waikine the cuntrey, and to mak the inhabitantis vnfitt for seruice, vpoun ony interuening occasioun, as indeid thay ar presentlie reduceit to that estaite, that thay haif nowther houe nor armour; alwayes, we haif gevin ordour that all these who hes not found cautioun falbe disarmed, wherwith the commiffionaris ar contented.

This being our opinioun and answer to the particular headis of your maiesties lettre, we humelie present the same to your maiesties considera-

tioun ; and, prayeing the Almighty God to bliffe your maiestie with  
mony lang and happie yeires, we rest

Youre Maiesteis most humble and obedient  
subiectis and seruitouris,

GEORGE HAY.  
BUCCLEUCHE.  
A. MAR.  
MELROS.  
AR. NAPER.

PERTHE.  
ROXBURGH.  
LAUDERDAILL.  
W. OLIPHANT.

Edinburgh, 23 Martij 1624.

To the King his most excellent and  
sacred Maiestie.

CCCXXIV.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

THIS inclosed lettre being fend vnto ws be Sir James Spens, knight, and we haueing red and confidderit the same, and finding the contentis and desire thair of, to dip vpoun pointis, wherin, some of youre maiesties confederatis may pretend thair priuat intereffe, and we not being resolued how far the same may towche the goode correspondence standing betuix youre maiestie and thame, we haif forborne to med[le] thairwith, and hes heirwith fend vp the letter to youre maiestie, to the intent that youre maiestie, after aduised perufall and confideratioun thair of, may resolue vpoun fuche ane equall course thairin, as youre maiestie, in youre princelie wifdome, shall hold fitting. And so, continewing oure eirnist

prayers vnto God for youre maiesteis lang, happie, and bliffed reigne;  
we rest for ever

Your Maiesteis most humble and obedient  
subiectis and seruitouris,

GEORGE HAY.  
LINLITHGOW.  
PERTHE.

MELROS.  
WIGTOUNE.  
CARNEGIE.

Edinburgh, the 28 of Apryle 1624.

To the King his most sacred and  
excellent Maiestie.

Indorfed:

“ The Counsell concerning a  
lettre sente by the K. of  
Sweden.

“ 28 Aprilis 1624.”

CCCXXV.—LICENCE BY KING JAMES VI. TO THE EARL OF NITHISDALE.

JAMES R.

RIGHTE trustie and righte welbeloued counsellour, and righte  
trustie and righte welbeloued cofen and counsellour, wee greete yow well:  
Whereas for certeyne good respectes and reafons, to our selfe knowne, wee  
haue bene pleased to giue licence to our righte trustie, and righte wel-  
beloued cofen and counsellour, the earle of Nethesdale, to trauelle  
and be absent oute of our dominions for some time, wee haue thoughte

good, by these præsentés, to require yow to holde hand, and haue a speciall care that, during his said absence, he receaue no wrong, eyther in mater of iudicatorie or otherwise; and in speciall, if anie of his creditouris shalbe so importunate as to craue their principall fummes in the time of his said absence, that yee wold deale with them to accepte of their iuste annual for a reasonable time, at leaste, for one yeare. And, not doubting of your speciall care herein, as in a mater moſte earniſtlie by vs recommended to yow, wee bid yow farewell. Giuen at our mannour of Greenwich, the 21 day of Maie 1624.

To our righte truſtie and righte welbeloued counſellour, Sir George Hay, knighte, our Chancellour; and to our righte truſtie and righte welbeloued coſen and counſellour, the Earle of Melros, our principall Secretarie of our kingdome of Scotland.

CCCXXVI.—EARL OF NITHISDALE TO THE EARL OF ANNANDALE.

MY NOBLE LORD AND BROTHER,

IN all the particulers that conferne his majeſtis ſervice wpon the Borders, Johne Yowng haith tham to delyver to yow: ſum wthers which ather concerns me in particuler, or us bothe, he haith leykweys. I did intend to have helped my diſtreſſed eſtet be his majeſties favor in Irland, which I have requiſtit Mr Grahme, when my Lord Duik ſhall have recovered perſyt health, to preſent wnto his lordſhip, which Alexander Gordon will follow. That which I am to intreat of yow, for the preſent, is to diſpatche Johne Yowng home, and that theſe munis which the duik will giue, may be remembered wpon as your lordſhip finds fitt occaſion, without importunating, becauſe, with much moir, it is freilie beſtowed; when the ſam ſhall be had, yow ſhall relive my ring with two hundreth punds, and

pey thre hundreth, which yowr felfe and James haith bond yowr felfes for me: the rest fend home, or delyver to Archibald Boyl, for payment of interes to thes I am adetted to at home. Yow must leykweyfe procur my lord ducks letter to fend home to confort my wyfe, with letters to the chanfaller and presedent of Scotland, shewand, that, durand my absence, his grace will be protectōr of what concerns me, and, in that kynd, intreats their favor. What other thing fall occur, quherinto yow think fitt to be trubilfome to his grace at his majesties hand, I know yow will find noe lothing at his hands if it concerns me. Thoght yow apprehend that discontented humors possellis me, I craue no moir at Gods hands, for the weall of my hous and cheyld, bot that his grace may have long and good healthe. My sacred maister, and our prinse, whom God long preserve, being alyve, in yowr brotherlie cair, I haue full confidence, and remits to yowr felfe all my privat affairs, to be disposed as yowr lordship thinks fitt, I fall be ever

Yowr Brother to ferve yow,

NITHISDAILL.

Denmark Hous, May the xxviii, 1624.

I must intreat yowr lordship will reid over ane letter sent to me be Sir James Macdonnell, and intreat his majesties confideration of his estat. I have tauld him that he neids not fear bot his majestie will provyd, in his oune tyme, to supple his defeys.

To my noble Lord and Brother, the  
Earle of Annandail, These.

CCCXXVII.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

THE importatioun of foreyne victuall hes bene so frequent and commoun, and in so exceiding grite aboundance and quantite, thir tua

or three yeiris bigane, as the most pairt of the moneyis of this kingdome hes bene exported and bestowit to that vse, wherupoun hes followit fuche ane scairtie and penurie of money, that nomberis of your maiesties subiectis, of all rankis, whose burdynis straited thame at this terme, and who wer willing and responfall, in landis and goodis, to haif gevin vnto thair creditoures satiffactioun, wer, to thair grite greiff, dishabled, through the scairtie of moneyis, to do the same. The consideratioun quhairof, moued ws, vpoun the humble petitioun of Williame Dik, and Williame Wilkye, burgeiss of Edinburgh, who wer speciall importaris of this victuall, and had fuche ane quantitie thair of lyand vpoun thair hand, and readdie to spill, be reafoun it wes sa soone broght in, and thair wes few or nane to buy it, to grant vnto thame ane licence, for exportatioun of ane certane quantitie of the same victuall, especiallie quhyte, whilk wes the grayne the cuntrey stode least in neede of, and wherwith thay vndertooke to bring in money, or, gif the necessitie of the cuntrey should require, the double quantitie of any other foirt of victuall, whilk wes more vselfull for the cuntrey. And thay, having laidnit tua shippis with this victuall, and being vpoun thair course towardis thair porte, expecting nothing les then ony hurte frome ony, with whome your maiestie yitt standis in termes of freindship and correspondence, thair shippis wer, notwithstanding, persewed, boordit, and tane, be tua warre shippis of Dunkirk, and caryed in to the toun of Dunkirk, where the shippis and goodis ar maid laughfull pryise. This is a mater, whilk, in oure humble opinioun, wald be narrowlie aduertit and looked vnto, not so mekle for the priuat interesse of the tua honnest men, who ar heirby verie far damnified, as for the publict interesse of the whole marcheant estate; for gif this be tollerate, and gif the forder course and progres thair of be not interruptit, the whole foreyne commerce of this kingdome, whilk, for the maist pairt, is interteyned with Holland, wilbe shaikin louse, and cutt af, to the vndoing, not onlie of the marcheant estate, bot to the grite hurte of the rest of the kingdome. And thairfor, wee will, in all humilitie, prefoome to recommend this mater to your maiesties princelie and wyfe consideratioun, humblie beseecheing your maiestie to tak fuche ordour thairin, as, in the excellencie of your princelie wisdome, yow fall hold fitting, quhairthrow

the honnest men may be redrest, and restorit to thair shippis and goodis,  
and the lyke of this attempt forborne heirafter. And so, with the con-  
tinewing of our vncessant prayeris to God for your maiesties lang and  
happie reign, we rest

Your Maiesties most humble and obedient  
subiectis and feruitouris,

GEORGE HAY.  
AL. ELPHINSTON.  
AR. NAPER.  
A. HAMILTON.  
HAMILTON.  
KILSAYTH.  
MELROS.

LAUDERDAILL.  
R. COKBURNE.  
W. OLIPHANT.  
CARNEGIE.  
J. ERSKYNE.  
A. GIBSONE.

Halyruidhoufe, the fiftene of Junij 1624.

To the King his most sacred and  
excellent Maiestie.

CCCXXVIII.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

HAVING, conforme to your maiesties direction, commandit chargeis  
to be direct againis Maister Robert Boyde, and the rest of the minifteris

and otheris, whome your maiestie ordanit to be confyned, for their compeirance befor ws, vpoun the tuentie fourt of this instant, to haif hard your maiesties will anent thair confyneing, declairit vnto thame, the said Maister Robert getting notice heirof, not onlie prepared himselff for a present obedience, and is this day vpoun the removing of his houshold and familie, bot to preveene the dyett, he presentit himselff befor ws, and by his petitioun humblie defyrit that he might be now hard, and your maiesties will declairit vnto him, and that he wer not vnnecessarlie forced to attend till the said tuentie fourt day, whilk wes grantit vnto him. In his petitioun, he cleired himselff of findrie imputationis, whilkis, as he alledgeis, ar objected agains him, as, namelie, that of the priuat meetingis and conventicles within Edinburgh, of the whilkis he protested, bothe by word and write, and vpoun his grite oathe, that he wes ignorant and innocent, and that he nouthur assisted thame with his presence, nor allowed of thame, nouthur yitt buffyed himselff with thir churche materis, nor had no dealing with ony of the burgh of Edinburgh, nor no otheris thairanent, bot behaved himselff so calmelie and foberlie, as possiblie he could, eshewing all occasionis, companyis, and meetingis, whilkis might give the least mater of offence. And whereas he pretendit the necessitie of findrie his adois throughout the whole shirefdome, and the rather, for that he had a stranger to his wyffe, of whose contentment, besydis the educatioun of his childreene, he behooved to haif a cair, and that he could nouthur be accommodat with the one nor the other, within the boundis of Carrick. Wee having hard and confidderit of his petitioun, wee wald not prefoome to enlarge his confyneing without your maiesties allowance, bot hes referued the same to your maiesties awne goode will and pleafoure, wherein gif your maiestie salbe gratiousslie pleased to fauour him, oure simple opinion is, that no harme can follow thairupoun, and gif thairafter he sal happin to ouersee himselff, whilk wee looke not for, and sua fall proue vnworthie of that fauour to be shawne be your maiestie vnto him, your maiestie, vpoun knowledge thairof, may give directioun for his forder restraint, as your maiestie fall think goode; bot remitting this to your maiesties confideratioun, and humblie craving pardoun for this our presumptioun,



we humblie pray God to blisse your maiestie with mony long and happie  
yeiris, and wee rest for euer

Your Maiesties most humble and obedient  
subiectis and feruitouris,

GEORGE HAY.  
MELROS.  
KILSAYTH.  
AL. ELPHINSTON.  
AR. NAPER.  
A. HAMILTON.

HAMILTON.  
LAUDERDAILL.  
W. OLIPHANT.  
CARNEGIE.  
J. ERSKYNE.  
R. COKBURNE.

Halyrudhoufe, the fyfteene of  
Junij 1624.

To the King his most sacred and  
excellent Maiestie.

CCCXXIX.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

THAIR hes of lait fallin oute, within the burgh of Dunfermyne,  
vpoun the xxv day of Maij last, ane most lamentable and fearefull ac-

cident by ane suddane and terrible fyre, whilk araife within the fame, and continewd so violent, for the space of foure houris, as no foirfight nor strenthe of man wes able to resist it, sua that the poore inhabitantis, who, with mutche stryveing and extreame hafaird of thair lyveis, opposed thame selffis aganis the violence of the fyre, wer constrayned, in end, to yeild to necessitie, and to be spectatouris of this fearefull visitatioun, wherin the whole body of the toun, whilk consisted of ellevin scoir of tenementis, and fouretene scoir and sevin familieis, wes, within the space foirfaid, brynt and consumed, with the wholl plenneffing of the houffis and the barnis about the towne, wherin thair wes fyve hundreth bollis of victuall; wherby this poore toun, haueing within it sevin hundreth commvnicanthis, with saxtene scoir of bairnis, of whome the eldest is not past sax yeiris of aige, is totalie ruyned and vndone, and the poore inhabitantis, who wer a companie of industruous and verteous people, and paynefullie and cairfullie labourit for thair leving, ar reduceit to that extreame point of miserye, that no thing is left thame bot the cloathis vpoun thair backis, without house or holde to repoise thair languisheing bodyis in, as some of ws, who hes seene the desolatioun of this poore towne, can beare record. We haif beene verie solist and cairfull for a supplee to this poore toun, and hes begvn, oure selffis, to gif goode example to otheris, and, by oure lettres, we haif recommendit thame to the wholl body of this estate. And whereas this gentleman, your maiesteis auld seruand, hes, at the earnest desyre of the poore toun, vndertane to represent vnto your maiestie the desolat estate and conditioun thair of, thay haif petitioned ws, that be him we wald gif notice vnto your maiestie of the trewth of this mater, whilk, in a mater of this kynd, we could not weele deny. In the meanetyme, we fall haif a cair that the moneyis quhilkis falbe contributed for this earand, falbe prouidentlie mannaged, and rightlie distributed, according to the qualitie and necessitie of the pairtyis interessid; and in euery other thing, whilk may procure the conforte and releiff of that poore toune, no thing falbe inlaiking in ws, whiche to oure charge and placeis apperteynis. And so, with our humble prayeris vnto God, re-

commending your maiestie, and all your royall and princelie adois, to the  
 protection of the Almighty, we rest for ever

Your Maiesteis most humble and obedyent  
 subiectis and seruitouris,

GEORGE HAY.  
 JA. GLASGOW.  
 WIGTOUNE.  
 A. MAR.

LINLITHGOW.  
 MELROS.  
 GLENCAIRNE.  
 BUCCLEUCHE.

Haliruidhous, 16 Junij 1624.

To the King his most sacred and  
 excellent Maiestie.

CCCCXX.—THE LORDS OF PRIVY COUNCIL TO THE PRINCE OF WALES.

PLEAS YOURE HEIGHNES,

IT hes bene the goode pleasour of God, laitlie, vpoun the xxv day  
 of May last, to visite youre heighnes toun of Dunfermyne, with a most  
 lamentable and fearefull accident, by a suddane and terrible fyre, whiche  
 araife within the same, and continewed so violent for the space of foure  
 houris, as no humane witt, strenthe, nor foirsight, wes able to resist it;  
 and within this space the whole body of the toun, whiche consisted of  
 ellevin scoir of tenementis, and foureteene scoir and fevin familieis, wes  
 brynt and consumed, with the wholl plenneffing of the housis, besydis the  
 barnis about the toun, wherin, thair wes fyve hundreth bollis of victuall,  
 whereby this poore toun, sometyme a floorisheing member of the body of

this commounweele, and haueing within it fevin hundreth commvnicanthis, with faxteene fcoir of bairnis, of whome the eldest is not past fax yeiris of aige, is totalie ruyned and vndone, and the inhabitantis, who wer a companie of vertuous and industruous people, and paynefullie and cairfullie labourit for thair leving, ar reduceit to that extreame point of miserie, that no thing is left thame, bot the cloathis vpoun thair backis, without houe or holde to repoise thair weyreit bodyis in, as some of ws, who hes seene the defolatioun of this miserable toun, can beare record. We haif bene cairfull, as become ws, for some supplee to releue the present necessityis of the towne, and we haif begyn oure selffis to gif goode example to otheris, and, by oure lettres, we haif recommendit thame to the wholl body of this estate; and we fall haif the lyke cair that the moneyis, quhilkis falbe contributed for this earand, falbe prouidentlie managed, and rightlie diftributed, according to the qualitie and necessitie of the pairtyis interessed. And whereas this gentleman, your heighnes darrest faderis auld seruand, hes, at the eirnist desyre of this poore toun, quhair he had his residence and duelling, vndertane to represent vnto your heighnes the defolat estate and conditioun thairof, thay haif petitioned ws, that be him we wald gif notice vnto youre heighnes of the trewthe of this mater, whiche we could not weele deny, and the rather becaus the towne is youre heighnes awne. And so, praying the Almighty God to wathe ouer youre heighnes persone, and to blisse youre heighnes with mony lang and happie yeiris, we rest

Yourre Heighnes most humble and  
obedyent seruitouris,

GEORGE HAY.  
JA. GLASGOW.  
WIGTOUNE.  
A. MAR.  
LINLITHGOW.

MELROS.  
LAUDERDAILL.  
GLENCAIRNE.  
BUCCLEUCHE.

Haliruidhous, 16 Junij 1624.

To the Prince his Heighnes.

## CCCXXXI.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

ACCORDING to your maiesties directioun, wee called before ws the Lordis Boyd and Blantyre, Sir James Cleland, Maister Patrik Walkinsha, and a number of the takkifmen of the kirkis of Monkland and Calder, and first wee examined thame vpoun thair greevis, and what ony of thame had to propone or alledge agains others. Sir James Cleland complenit, that he being heretablie infest be your maiesties chartour, vnder your grite seale, in the landis and baronie of Monkland, with the right of patronage of the kirkis of Monkland and Calder, boght be him at a deare rate, and wherunto he had the consent of Maister Patrik Walkinsha, titulair of the benefice, and accordinglie, hes bene in peaceble and vncontraverted possessioun thir fevintene or eightene yeiris bigane. That notwithstanding, the Lord Boyd had vnkyndlie procurit a new infestment frome your maiestie of this same patronage, vpoun the dimissioun of the said Maister Patrik, and so hes broght the said Sir James to a neidles proces of law for defence of his infestment, and possessioun following thairupoun. The Lord Boyd excusis him selff, bothe of vnkyndnes, and other wrong alledgeit done to Sir James, affirmeing that he hes done nothing in this particulair, bot that whilk ony other subiect might laughfullie haif done, for the said Maister Patrik being willing to haif maid surrender of the benefice, the said Lord Boyd delt with him thairanent, procurit the said surrender, and the consent of the bishop and chaptour of the kirk of Glasgw thairunto, and thairupoun purchest your maiesties infestment, vnder your grite seale, whilk he producit befor ws; declairing, that gif Sir James infestment be valide, and gif the same may be sustenit, be course and ordour of law, that then his infestment, whilk is posterieur to Sir James, can not preiudge him. The Lord Blantyre his interesse is grounded vpoun a conditioun and promeis, alledgeit maid to him be Sir James, not to quarrell nor impugne his takkis; and feing, he hes no fuche promeis of the Lord Boyd, he apprehendis some feare to be

quarrellit, whilk will draw vpoun him a warrandice of all the takkis maid be him to his subtakkismen. Wee having at lenth hard thame vpoun thir pointis, at tua or three meetingis, whilkis wee had with thame thair-anent, wee earnestlie delt with thame to haif drawne thame to a submissioun, wherin we wald haif proceidit so indifferentlie and conscientiouslie, as nane of thame should haif had iust cause of offence. The Lord Boyd offerit to submitt, for his pairt, to freindis. The other tua declynit the submissioun; the Lord Blantyre alledgeing, that he had no mater to submitt, and that he wald stand to the defence of his takkis, be ordour of law. Sir James altogether refusit the submissioun, as a mater whilk threatnit his vtter wrack and ouerthrow, becaus he wes bundin, and stoode obleist to the takkismen in the contrair; for verificatioun quhairof, thair wes fyve or sex contractis producit befor ws. As for Maister Patrik Walkinsha his behaviour in this particulair, he preasses, by some friuolous evasionis, to clear him self thairin; bot the trewth is, that first he gaif his consent to Sir James Cleland, his authour, and now hes maid a surrender in fauouris of the Lord Boyd. This being all that we could do in this buffynes, we humblie present the same to your maiesties considderatioun; and quhat forder your maiestie shall command to be done heirin, vpoun the significatioun of your royall will and pleasoure, it shalbe obeyit. And sua, with our most fervent prayeris vnto God for your maiesties long and happie reign, we rest

Your Maiesties most humble and obedient  
subiectis and seruitouris,

GEORGE HAY.  
MELROS.  
A. MAR.  
JA. GLASGOW.  
AR. NAPER.

Halyruidhouse, the 25 of Junij 1624.

To the King his most sacred and  
excellent Maiestie.

## CCCLXXII.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

YOUR maiestie was gratiouſlie pleaſit to recommend to our tryall, the informatione maid agains James Arnot, be his creditors, who, alledging that the ſaid James haifing maid over ſome pairt of his eſtair, in truſt, to confident perſones, *in fraudem creditorum*, did thairvpon craue to haue his bodie delyvered, to be transported from Bervick, whidder he had his refuge, for ſafetie of his perſone, to be incarcerate heir. Wee haue bein cairfull to proceid exactlie in that examinatione, and to uſe all meanis of law, which might ſerve for the diſcouerie of ſuch fraudfull alienationes (gif any wes), and for that end, grantit ſummondis to the ſaid James, for ſummonding his haill creditouris: efter whoſe citatione and compeirance in our haill prefencis, we tryit and found, that theſe imputationes wer not warrantable, bot that the ſaid James had trewlie gevin and diſponit all his awin eſtair and guidis, and alſo the haill guidis, geir, and landis, which perteinit to James Dalzell, for payment of the debtis of the ſaid James Dalzell, for whome he was ſuretie, and for whoſe debt he hes payit the ſowme of fourſcoir and ſevin thouſand merkis, Scottis money, by and attour the ſaid James Dalzell his awin guidis and geir: Swa, that no pairt of his eſtair was entrufte be him to any perſone in preiudice of his creditouris, bot himſelfe redacted to that pinch, that, for ſafetie of his perſone from imprifonement, he hes retired to Bervick, whair he leivis vpon the benevolence and charitie of his freindis, and by ſuch ſupplie as thair compaſſionat pittie of his indigent eſtair enforcis thame to miniſter to him for the entertainment of his lyfe: which, out of our bound dewtie, we doe preſent to your maieſtie, as ane ac-

compt of our proceidingis in that buffines ; and with our fervent prayeris  
to God for your maiesties long and happie reigne, we rest

Your Maiesties most humble and obedient  
subiectis and servitouris,

GEORGE HAY.

MELROS.

LAUDERDAILL.

J. ERSKYNE.

HAMILTON.

CARNEGIE.

W. OLIPHANT.

A. HAMILTON.

S<sup>r</sup>. J. SKENE.

GEO. ARESKYN.

AR. NAPER.

A. FLETCHER.

J. GIBSONE.

A. HAY.

T. HENRYSON.

AL. ELPHINSTON.

Edinb<sup>urgh</sup>, 29 of Junij 1624.

To the Kingis most excellent Maiestie.

CCCXXXIII.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

YOURE maieftieis lettre, concerning the declaratioun of your  
royall will and pleafour, agains Williame Rig and his complices, come no  
foonnair to oure handis, whome youre maiestie first intrusted thairwith,  
bot thair went a current brute through this toun, of ane extraordinair grite  
fyne to be imposed vpoun the saidis perfonis. How, or fra whome this



brute proceidit, we know not, and we will cleir oure selffis, that, to this houre, we haif euer concealled that point anent the fyne, and nowther acquaintit the rest of the counsell, nor no otheris thairwith; and for this we will humelie crave your maiesteis pardoun, and beg that fauour of youre maiestie, that youre maiestie wald be gratiousslie pleasit to tak in goode pairt oure humble opinioun concerning this fyne, whairin, as the Lord knowis, we haif no other thing befor our eysis, bot your maiesteis honour, and the generall content of youre subiectis, who, at the first raising of the vncertane brute of this fyne, quhair of the particular is yitt vnkowne vnto thame, wer so moued with the rairnes of the mater, and the apprehensioun of feare, vpoun the preparatiue and consequence thair of, as we haif not hard of a mater so hardlie tane with, and so dangerouslie apprehendit, be all rankis of personis; ffor the lyke of this fyne wes neuer hard of in this kingdome, and thair wes never a cryme (how grevous foeuir), whilk wes punishable be fyneing, that reffaut suche a censure; nor can the meanes of priuat personis afforde suche sowmes, and the man him selff, althoght, in the generall opinioun of the people, he be welthie, is not knowne to haif so mutche stocke as the sowme imposed; and yf it be left in record, it will importe the effect of ane forfeytour, and a depyrying him of his wholl estate, quhilk, in a mater of this kynd, respect being had to the qualitie of the offence, and quantitie of the fyne, will not be warrandit be example, and, in the opinioun of mony, will not subsist in course of justice. The consideratioun wherof hes moued ws hithertillis, to conceale the fyne, being persuadit that the counsell wald neuer allow thair of, and we wer loathe that ony of youre maiesteis directionis shold reffaue ane interruptioun, or hard interpretatioun. The rest of your maiesteis pleasour concerning him, and his affotiates, by declaratioun maid of thair being ever incapable of ony publict functionis, is satisfieit, and he shall keepe warde in the Blaknes, and the rest in thair wardis, till your maiestie, in the excellencie of youre wisdome, compairing this punishement with the qualitie of the offence, shall reffaue contentment, wherwith we will most humelie beseeke your maiestie to rest satisfieit, and to pardoun our presumptioun and bauldnes, wherin, as we haif formarlie said, we haif no other respect bot your maiesteis honnour, and con-

tent of youre subiectis. And so, praying the Almighty God to preferue  
youre maiestie in healthe and happynes, with a lang and blissed reigne,  
we rest for euer

Your Maiesteis most humble and obedyent  
subiectis and seruitouris,

GEORGE HAY.  
A. MAR.  
MELROS.  
W. OLIPHANT.

Haliruidhous, the first of July 1624.

To the King his most sacred and  
excellent Maiestie.

CCCXXXIV.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

WE reffaued youre maiesties lettre, of the xxij of Junij last, and,  
to oure exceeding grite greiff, we perfaue that youre maiestie hes tane of-  
fence at oure proceedingis, in that mater concerning William Rig, and  
that sentence wes not pronunceit aganis him, conforme to youre ma-  
iesties directioun, wherin we will humelie craue pardoun, to cleir oure  
felffis, that no priuat respect nor confideratioun towardis the man, could  
haif induceit ws to ouersie the least point of dewtie, in the executioun of  
youre royall commandmentis; bot knoweing that youre maiesties princi-  
pall ayme, in this and otheris materis of the lyke kynd, is groundit vpoun  
a most religious and princelie refolutioun, to haif youre maiesties lawis,  
concerning the ordouris of the church, to be reuerentlie obeyit, and a

peceable and fruitfull ministerie to be establisheit in this burgh; so, at the dyet appointit for pronouncing of youre royall will aganis the said Williame, he compeirit, accompanied with the whole ministeris of this burgh, and not onlie most submissiuelie acknowlegeit his ouersight in that Twif-days meeting, afoir Easter last, and cleirit him selff of some mistakingis in his depositionis, and quhairin he had foryett him selff, by granting a point never spokin of be him in the meeting fairsaid: bot with that, the ministeris, after a havye regrait maid be thame of thair hard estate and condition within this burgh, and how thay had a purpos to haif beggit leave to haif left thair ministerie,—in end, thay declairit, that, vpoun conference with the said Williame, thay had reffaut grite contentment and satisfactioun, in the mayne pointis, wherin he pretendit his doubtis, and wer in goode hoip of his future conformitie and obedyence; and that the rest of the nightbouris of the towne, who hes the gritest hand in this buffynes, wald, by his example, do the lyke, quhairupoun wald follow the peace of thair churche, respect to thair personis, and a hairtie and mutual harmonie betuix thame and thair flocke, whilk wes the onlie thing thay foght. And, thairfoir, thay humelie interceidit for fauour vnto the said Williame, and that the declaratioun of youre royall will aganis him might be deferred for some certane space. Thay being at lenthe hard, and the expedience of thair propositioun debaitit at the counsell table, and the archiebishop of Sanctandros, who, as youre maiestie knowis, hes the gritest cair in thir churche materis, and whose opinioun is mutche reuerenceit and followit thairin, not onlie ioyned with the ministeris, in thair propositioun and desyre, as the fittest course to procure obedyence and peace in the churche, bot voided with ws, to the superfeiding of the declaratioun of youre will and pleasour. This being the simple trewth of the cariage and progres of this buffynes, we will humelie beseeke youre maiestie to accept the same in goode pairt, as proceedinge frome thame, whose cheif cair and indevoiris, in the charge and placeis quhairwith youre maiestie hes honnourit ws, is to approve ourefelffis worthie of oure charge, and answerable to the truste youre maiestie repositeth in ws; we haif depnyed the said Williame frome his office of baillierie, and hes declairit him and the rest incapable of ony publict charge, in churche or towne, heirafter;

and hes directit thame to thair warde; and in all otheris thingis, quhilkis may procure your maiesties obedyence and contentment, the peace of the kirk, and respect to the ministeris, thair falbe no thing wanting in ws, whilk to the dewtie of our place, as counsellouris, and alledgeance, as humble subiectis and feruitouris, apperteynis. And so, with the continewance of our humble and eirnist prayeris vnto God for youre maiesties lang and happie reigenn, we rest for ever

Youre Maiesteis most humble and obedyent  
subiectis and feruitouris,

GEORGE HAY.

MELROS.

W. OLIPHANT.

SR. J. SKENE.

AR. NAPER.

J. MAR.

LAUDERDAILL.

R. COKBURNE.

J. GIBSONE.

MORTON.

CARNEY.

AL. ELPHINSTON.

LINLITHGOW.

J. ERSKYNE.

HAMILTON.

KILSAYTH.

Haliruidhous, the first of July 1624.

To the King his most sacred and excellent Maiestie.

CCCXXXV.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

AFOIR the refett of youre maiesteis lettre, of the sevint of this instant, whilk wes directit to the whole counsell, we, youre maiesteis chancellair and secretair, had diuers meetingis with the earle of Nithifdail his creditouris, and eirnistlie delt with thame for a continewatioun of personall executioun aganis his cautionaris, till this approtcheing

Martymes ; and now, vpoun the refett of this laft lettre, the creditouris wer broght befor the counfell table, and the mater, of new, vrged of thame, with all the instance and reffonis that might induce thame thairunto ; and becaus of the neir approtcheing of the terme, the continewatioun wes vrged till Whitfonday, and promiseis wes maid vnto thame of thair annuellis. We fand a willingnes in fome of the creditouris, and a plane and direct oppositioun in otheris, who pretendit mony difficultis and reffonis, quhairfor that mater fould not be vrged of thame. And towcheing that point of youre maieftis lettre, anent the recalling of compyfeingis, inhibitionis, and hoirningis, vfed aganis the faidis cautionaris, the creditouris wer fo far aganis the fame, as thay oppofed thairunto refoun, law, iuftice, and practique of the kingdome ; and that this table could not medle in a mater of that kynd, depending vpoun thair rightis and fecurityis, whilkis wer to be hard in another iudgement ; and the wholl counfell thocht, that, befydis the breache of law, the fauour craued wald ouerthrowe all trufte, commerce, and intercourfe, within the kingdome, and, confequentlie, wald produce griter inconuenientis, to the hurte of the eftate, nor could be for the prefent foirfeene. This being the effect of oure procedingis in this buffynes, we humelie prefent the fame to youre maieftis confideratioun, with oure humble and eirnist prayeris vnto God for youre maieftis lang and happie reignn. Frome Haliruidhous, the xv day of July 1624.

Youre Maieftis moft humble and obedyent  
fubiectis and feruitouris,

GEORGE HAY.

A. MAR.

MELROS.

J. ERSKYNE.

AR. NAPER.

W. OLIPHANT.

MORTON.

LAUDERDAILL.

CARNEGIE.

ROXBURGHE.

HAMILTON.

To the King his moft facred and excellent  
Maieftie.

CCCLXXXVI.—DEPOSITIONS OF ROBERT ELLOT AS TO THE INTENDED  
CAPTURE OF THE EARL OF BUCCLEUCH, &c.

At Edinburgh, the xvii day of Julij 1624; in prefence of the Lordis  
Chancellour, Thesaurair, the Erllis of Moretoun, Roxburgh, and  
Melros.

ROBERT ELLOTT of Ridheugh, fworne, and examinat vpoun the purpois  
and intentioun of taking the erll of Bugcleuchis lyffe, deponis, That Gib  
Ellot, callit the Tutour, proponit first to the deponner the murthour of  
the faid erll, faying, the deponner wald neuir be at rest, till the erll wer  
cutt off; and he vndertooke to do the same within a year; bot the depon-  
ner neuir aduysed, nor counsaillid him thairto: And sayes, that Gib come  
to Jedburgh to tyme of a iustice court, and thairafter to Edinburgh, to  
haue done the turne; and grantis that the deponner tauld this mater to  
Gawane Elliott, who anfuerit the deponner, that Gib wes bot a feeble  
couter, and wald neuir do the turne.

At Halyrudhous, the nyntene day of July 1624; in prefence of the  
Lordis Chancellour and Thesaurair, the Erllis of Mortoun, Rox-  
burgh, and Melros.

Robert Elliot being demandit, In what plaice Gib Elliot, callit the Tu-  
tour, first proponit vnto him the purpois concerneing the murthour of the  
erll of Bugcleugh? deponis, The first tyme that Gib Elliot moued that  
buffynes to him, wes at the watter syde, neir to the deponneris dueling  
hous of Demayneholme, whither Gib haid purpoissie come; quhair, haue-

ing regraitted the erll of Bugcleuch his hard vface of the deponner, and his whole name, he brak of the purpois concerneing the erll of Bugcleughis lyffe, faying, that yf he could gett help and maintenance, he wald vnder-tak, vpoun the perrell of his lyffe, to do the turne within a yeir. Demandit, Quhat he anfuerit, when Gib first motioned this matter vnto him? Grantis, that he intertenyed the motioun, and that Gib and he haid oftentimes purpois concerneing that buffynes, at euery vther tyme when Gib come to his hous: Grantis, that within aucht dayes after Gib Elliot proponned this buffynes vnto him, the deponner communicat the fame to Gawane Elliott in the Hilhouse, who wes verrie jealous and fuspitious of Gib, that he durst not do the turne, calling him a feeble fellow. Demandit, At what tyme, and in what plaice, Gib Elliot refolued to do the turne? deponis, At the tyme of the halding of the iustice court in Jedburgh, and thairefter in Edinburgh: Grantis, that he wes in Jedburgh at that tyme, whiche wes appoyntit for putting thair purpois in executioun: Denyis that he eur gaif any thing to Gib Elliot to do the turne. Demandit, After the purpois failed in Jedburgh, quhat wes the nixt appoynted tyme and plaice for conferring vpoun that subiect? deponis, Thay haid findrie meittingis and conferenceis thairanent, and that Gib Elliott wes of opinioun that the turne might be best done in Edinburgh, and with least danger; quhairvpoun, the deponner and he come to Edinburgh, quhair, haueing attendit the euent of the buffynes some certane dayes, Gib Elliott, Robin Young, and the deponner, returned hame, all thrie togidder; bot denyis that he haid any conference with Gib Elliott anent the murthour of the said erll, at that tyme, and in the prefence of and heiring of Robin Young; nather rememberis he what past betuix thame in thair ryding betuixt Maxuelheugh and the Mostoure, bot grantis that, befor he com into Edinburgh, he tauld Robin Young, that Gib Elliott haid vndertane the buffynes. Demandit, Yf, the tyme he wes in Edinburgh, Gib Elliott boght a quhinger, and broght it to the deponner and Robin Young, and shew it vnto thame, faying that it wes a fit instrument for the purpois thay haid in hand? Grantis the fame to be of verritie. Demandit, How fone he directit Gib Elliott into Edinburgh, after his returne hame? deponis, Within aucht dayes; and grantis that he haid

Robin Young in Edinburgh befor Gib, to reffaue the pryce of a horſe, whilk the deponner haid fauld at his laſt being in toun. Demandit, How meikle of the pryce of the horſe he ordanit Robin Young to delyuer to Gib Ellott? deponis, Tuentie pundis. Demandit, What conference Gib Ellott haid with him after Gib his bakcomeing frome Edinburgh, and that the purpois haid failled thair? deponis, He inquyred findrie thingis of him, the particularis wherof he can not remember. Demandit, Gif thair wes any difcord betuixt Gib Ellott and him, befor the deponneris lady caufed fell Gib Ellott his knolt? Denyis that thair wes euir any difcord and variance betuixt him and Gib.

*Item,* The ſaid Robert Ellott being examinat, and demandit anent the ſtealing of Maifter Herroun and Williame Charletoun thair ky, deponis and confeſſis, that he wes airt and pairt of the ſtealling and reſſetting of fax ky fra Maifter Heroun, in Chipſeis, about Mairtynmes laſt; and that Edie and Will Vfchearis and Gib Ellott, callit the Tutour, being his awne ſervandis, wer actouris with him in this thift: And forder, he confeſſis that the ſaid Edie and Will Vfchearis, his ſervandis, haueing ſtoven frome Williame Charletoun, of Yſlyſyde, tua ky and ane ox, the ſaidis goodes wer broght to his houſe, and reſſett be him, and eaten in his houſe.

CCCXXXVII.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

HAVING, by oure lettre of the 26 of Marche, acquaintit your maieſtie, how far we had proceidit in the tryall and examinatioun of that deteſtable purpois contrived be Robert Ellott of Ridheugh, agains the lyffe of the Earle of Bugcleugh, and vndertane to be execute be Gib Ellott, callit the Tutour; youre maieſtie, reſſenting the interpryſe, as it wes, indeid, bothe baſe and vnworthie, in reſpect of the circumſtances and



qualitie of the persone agains whome it wes intendit, being a nobleman, a counsellour, a commissiounair in the boundis where the murthour wes contrived, and the said Robert his superiour, youre maiestie wes pleased to will us to go on in the tryall and punishment, so far as the course of law wald allow; and if the lawis in that point wer defectiue, that the more exact diligence should be vsed for discouerye of the thift, quhair of the said Robert wes challenged, for your maiesties satisfactioun; in whiche point we haif bene verie carefull, by divers examinationis, to rype vp the whole treuthe and misterye of this mater; and after findrie meetings and denyallis, on the said Robert his pairt, the dyet for his criminall per-suite, vpoun the thift, being at hand, and the verificationis thair of verie vndoutit and pregnant, wee then layed before him the conditioun quhairin he stoode, and the inevitable danger he wes to vndergo if the dyet held fordwart; and, after muche dealing heirin, he wes brought to a confessioun, bothe of the intendit murthour and thift, as by his depositioun, send heir-with, your maiestie will perceave. How soone the erle vnderstoode of this confessioun, he being moued with pitie and commiseratioun of his estate, he not onlie delt for a delay and continewatioun of the criminall dyet, whiche, at his earnest intreatie, wes grantit, bot he allowed that wee should humblie interceid for fauour vnto him at your maiesties handis, quhilk, in all humilitie, wee remitt to your maiesties princelie consideratioun. His tua colleagues in the thift hes vndergone thair tryall and punishment, the father being execute, and his sone, in respect of his confessioun and young yeiris, being banished the kingdome. He hes ane man callit Robert Young, who wes previe to this mater, and agains whome the said Robert Elliott himselff, and Gib Elliott, callit the Tutour, hes deponit, that he not onlie knew of the buying of the quhingear, be the said Gib, to the effect abouewrittin, bot also wes present at thair conference, vpoun this subiect, betuix Maxuellheugh and Mostoure. He is now prissoner in the tolbuthe of Edinburgh, for his obdurate denyall; and wee wald humblie know your maiesties pleafour, quhat salbe done with him. This being the effect of oure proceidingis heirin, wee humblie present the same as ane accompt of oure diligence, and what forder your maiestie shalbe pleased to command thairin shalbe obeyit. And so,

with our vnceffant prayeris vnto God for your maiesties long and happie  
reign, wee rest

Your Maiesties most humble and obedient  
subiectis and feruitouris,

GEORGE HAY.  
MELROS.  
A. MAR.

MORTON.  
ROXBURGHE.

Halyruidhouse, the 22 of July 1624.

To the King his most sacred and excellent Maiestie.

CCCCXXVIII.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERAIGNE,

VPOUN informatioun maid to ws, of some appeirance of trouble  
and vnquietnes, lyke to haif fallin oute betuix certane of the erll of Hooome  
his tennentes, on the ane pairt, and some of lord Gray of Wark his men,  
on the other pairt, vpoun occasioun of the douncasting of the faid earle  
his miln dame of Spyla, committit be the faid lord Gray his men, and of  
the slaughter of one of his men, whiche vnhappellie fell oute in the oppo-  
sitioun maid to the douncasting of the faid dame; wee, being cairfull, as  
become ws, of youre maiesties peace, and to prevent all occasionis quhilk  
might disturb that goode correspondence, whilk your maiestie so earnestlie  
wisheis to be mutuallie intertenyed betuix the tua kingdomes; wee not  
onlie write to the shireff of Beruick to informe ws of the particularis of  
that buffynes, and to conueene the iusticeis of peace within that boundis,  
and, by thair ioynte authoritie, to bind all the pairtyis on this fyde, inter-  
essed in that mater, to the peace, bot wee lykewayes write, to this fame  
end, to the iusticeis of peace within Northumberland, and wee eirnestlie  
recommendit vnto thame, that a meeting of the commissiounaris of the

Middlefhyris might be appointit for trying and punisheing of the offendaris on either fyde, and satling of ane constant ordour for the peace in tyme comeing. Thay haif bothe returnit vnto ws thair anfuer, proporting, that thay haif tane sufficient ordour for the peace; bot anent the meeting of the commiffionaris, thefe of that fyde hes maid no mentioun. Wee ar informed frome the fhireff of Beruick, that the Spyla miln hes bene a gangand miln thir fourtie yeiris bigane; and that vpoun the fevint of this instant, some of the lord Gray his men, to the number of tuentie perfonis, come, afoir the fune raife, to the faid dammheade, and kaift down the fame, and that the oppositioun wes onlie maid be three men; bot leaving this to the ordinair tryall and examinatioun, wee will humelie requeift your maieftie, feeing this mater may draw deipair to the disturbance of youre maiefties peace, that youre maieftie wald be pleafed to write to the faidis commiffionaris of the Midlefhiris, to appoint a meeting, fa foone as convenientlie may be, and not onlie to tak exact tryall of this buffynes, and accordinglie to censure the fame, and to fetle that ordour quhilk may remoue all forder occafion of trouble heirafter, bot lykeways to tak ordour for fatling of the differenceis betuix the Lord Walden his tenentis, and the lairdis of Wedderburne and Blacader, anent the fifheingis foiranent Fifhewick, quhilk hes alreaddie bred grite trouble, and is lyke to produce forder. And fo, with oure earnest prayeris vnto God for your maiefties long and happie reign, wee reft

Your Maiefties moft humble and obedient  
fubiectis and feruitouris,

GEORGE HAY.  
MORTON.  
LAUDERDAILL.  
A. MAR.  
ROXBURGHE.

PA. B. OF ROSS.  
J. GLASGOW.  
BUCCLEUCHE.  
MELROS.  
J. ERSKYNE.

Haliruidhoufe, the 22 of July 1624.

To the King his moft facred and excellent Maieftie.

## CCCXXXIX.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

WE reffaued youre maieſteis lettre, of the 21 of this inſtant, by the whilk, your maieſtie recommendit vnto ws the ſearching and finding out of the conuenticlis keepit within the burgh of Edinburgh; ffor your maieſteis ſatiffactioun in whilk point, we thocht it firſt expedient that all of youre maieſteis counſaill, who wer this day conuenit in a frequent nomber, ſould be examined, vpoun thair grite oathe, concerning thair knowledge of thir conuenticlis; quhilk being accordinglie done, and thay haueing purged thame ſelffis thair of, thairafter we fend for the proueſt, baillies, and wholl counſell of the ſaid burgh, and verie ſtraitlie layed this mater to thair charge, as a cryme moſt offenſiue to your maieſtie, ſcandalous to the kirk, and moſt pernitiouſ and wicked, in conſequence and example, caryeing with it ane evident introductioun of ſhiſme, the breiding and foſtering of errouris, and of mony otheris evillis within the kirk; and we burdynnit thame, owther to find out the offenderis, or otherwayes your maieſtie wald tak yow to the wholl towne. Thay wer verie grevit for youre maieſteis offens agains the towne, and, with mony atteſtationis, pleadit ignorant and innocent of thoſe conuenticlis, and, by thair grite and ſolemne oathe, purgeit thame ſelffis bothe of the deid and knowlege thair of, proteſting that thay never hard of ſuche a mater; and yf it wer trew, that in thair hairtis thay deteſtit it, as a point vnworthie to be ſufferit or hard of within thair towne; and thay promeiſt the vttermoſt of thair endevoiris to trye, yf ever ony ſuche offence hes bene committit, to the intent the pairtyis found guiltie may be ſeueirlye puniſhed.

We intimat, lykewayes, vnto thame, youre maieſteis will and pleaſour anent the commynioun, wherunto thay willinglie acquieſcit, with promeis of conformitie and obedyence, humelie intreating youre maieſtie, that yf ony fooliſhe people of thair towne ſall ſtand oute and be refractar,

that the weyght of youre maieſteis wraithe ſould light vpoun thame ſelffis, and that youre obedyent ſubieſtis of the toun ſould not be troublit for thair foleyis. We haif gevin directioun to mak intimatioun of the celebratioun of the commynioun, be proclamatioun at the mercatt croce of Edinburgh, vpoun Mononday nixt, and we haif infert, in the proclamatioun, that ſame certificatioun expreſt in youre maieſteis lettre. This, for ane accompt of oure procedingis, in this mater, we humelie preſent the ſame to youre maieſteis conſideratioun, with our humble and eirniſt prayaris vnto God for youre maieſteis lang and happie reignn. Frome Haliruidhous, the 29 of July 1624.

Your Maieſteis moſt humble and obedyent  
ſubieſtis and ſeruitouris,

GEORGE HAY.  
ROXBURGHE.  
CARNEGIE.  
A. MAR.  
MELROS.  
MORTON.

LAUDERDAILL.  
HAMILTON.  
BUCCLEUCHE.  
W. OLIPHANT.  
AR. NAPER.

To the King his moſt ſacred and excellent  
Maieſtie.

CCCXL.—EARL OF MELROS TO KING JAMES VI.

MOST SACRED SOUERANE,

How ſoone your maieſties letter, commanding the ſtay of proceeding, in the action perſued by the Earle of Roxburgh aganis Francis Stuart, came to my hands, I went to the earle, and ſignified to him your maieſties pleaſure, which he promiſed humblie to obey, and to ſurceaſe

all farder instance till he fould obteane your maiesties permiſſion to the contrarie, aſſuring me, that he fould teſtifie his due obedience by his owne letters. So, praying God to bleſſe your maieſtie with accompliſhed proſperitie, I reſt

Your Maieſties moſt humble, faithfull, and  
bund ſubieſt and ſeruant,

MELROS.

Edinburgh, penult July 1624.

To the Kingis moſt ſacred Maieſtie.

CCCXLI.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

THAIR wes a complaint gevin in this day vnto ws, in name of the commiſſionaris of the Midleſhyris, proorting, that althoght thay haif bene verie ſoliſt and carefull to approve thame ſelffis anſuerable to the truſt, your maieſtie hes repoised in thame, not onlie by keeping of goode cor- reſpondence, executing of iuſtice, and cauſing of reall redres to be maid of all complaintis on the Inglishe fyde, ſua, that now thair is no ſtouthis nor reaffis hard of vnredreſſed on this fyde: that notwithstanding, a pairt of the boundis on the Inglishe fyde, as, namelie, Tyndaill and Riddiſdaill, is in a maner brokin louſe, and frequent ſtouthis committed within the ſame, and no redres at all maid, be reaſoun, as we conceave, that ſince the de- ceaſe of vmquhile Sir Harye Widrington, that had charge ouer theſe boundis, thair is no perſone of qualitie authoriſed with commiſſioun, with- in the ſaidis boundis, to tak ordour with the ſaidis diſordouris, as is done at the eaſt and weſt handis, quhairby your maieſties ſubieſtis, on this fyde,

ar havelie preiudget, and may be tempted to seek redres vnlaughfullie, if some course be not tane that a mutuall correspondence and redres be indifferentlie keepit on bothe fydis; quhairof, we thocht meete to mak your maiestie forseene, to the intent your maiestie, after dew tryall and informatioun of the caufs of thir difordouris, may provide for preventing of the forder grouthe of the same, and suppressing of the present. And so, praying God to blisse your maiestie with mony long and happie yeiris, we rest

Your Maiesties most humble and obedient  
subiectis and feruitouris,

GEORGE HAY.  
MELROS.  
W. OLIPHANT.  
S<sup>r</sup>. J. SKENE.

Edinburgh, 4 Februar 1625.

To the King his most sacred and  
excellent Maiestie.

CCCXLII.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

THAIR wes a signatour gevin in to ws, vnder your maiesties hand, and recommendit be your maiesties lettre, to be exped, contening ane infestment of the lordship of Kintyre, in fauouris of the earle of Argyll, his eldest sone of the secund mariage; after confideratioun quhairof, having callit to oure remembrance, how that the passing of this infestment wes verie instantlie vrged be the earle himself, the tyme of the parliament, in the fix hundreth and sevinteene yeir of God, quhair your maiestie wes present, and how that grite oppositioun wes maid thairunto be the said earle his cautionaris, as, namelie, be the constable of Dundee, the

lairdis of Lundie, Laweris, and some otheris, who constantlie affirmed, that thay had no hoipis of releif of thair grite ingadgementis for the said earle, if that infestment wer exped, feing the lord of Lorne, the said earle his eldest sone, stode infest in the fee of the whole rest of his leving, and nothing wes restand, wherupoun thay might gett reall executioun for thair releiff. And whereas your maiestie, oute of your gracious respect of thir gentlemenis releiff, allowit of the staving of the infestment at that tyme, we thairfoir thocht that we could not be ansuerable to your maiestie, if now, without hearing of thame, we sould give way thairunto; and thairfoir, we wret for thame, and Lundie compeirand, he renewit, with verie grite instance, the formair suite anent the staving of the infestment, and gaif in a note of threttie sex thousand, aucht hundreth, and three pund, wherin he yit standis ingadgeit for the said earle, besydis tua thousand pundis, with some annuellis that he hes payit. We having at lenth hard him, as alsua the said earle his agent, who attendit this buffynes, and who had nothing to say agains the note of the ingadgementis foirfaidis, we haif maid choise rather to stay the infestment, nor rashelie to giue way thairunto, till first we be consultit with your maiestie thairanent, wherin, craving your maiesties pardoun for this shorte delay, and being readdie, according to our bundin dewtie, vpoun significatioun of your maiesties royall will and pleasoure in this particular, to conforme our selffis thairunto, we pray God to blisse your maiestie with mony long and happie yeiris, and restis

Your Maiesties most humble and obedient  
subiectis and seruitouris,

GEORGE HAY. .  
MELROS.  
W. OLIPHANT.

Edinburgh, the fourte of Februar 1625.

To the King his most sacred and  
excellent Maiestie.



CCCXLIII.—THE NAMES OF THE NOBILITIE OF SCOTLAND, NOWE HEERE  
TO ATTEND THE FUNERALL OF KINGE JAMES.

The Lord Chancellor.  
The Duke of Lenox.  
The Marquefs Hamilton.  
The Archbifhopp of Saint Andrewes.  
The Earle of Mar, Lord Treafurer.  
The Earle Marfhall.  
The Earle of Morton.  
The Earle of Eglinton.  
The Earle of Buchan.  
The Earle of Nethifdail.  
The Earle of Linlithgoe.  
The Earle of Home.  
The Earle of Wigton.  
The Earle of Tullibardin.  
The Earle of Roxbrough.  
The Earle of Kelley.  
The Earle of Balclewth.  
The Earle of Melrofe.  
The Earle of Annandail.  
The Earle of Laudirdale.

The Lord Gordon, eldeft fone to the Marquefs Huntley.

The Lord Vifcount Aire.  
The Lord Erkin, eldeft fonne to the Earle of Marr.  
The Lord Fenton, eldeft fonne to the Earle of Kelley.  
The Lord Binning, eldeft fonne to the Earle of Melrofe.  
The Lord Spynee.

The Lord Madertie.  
 The Lord Pittinweeme.  
 The Lord Brufe.  
 The Lord Caluill.  
 The Lord Kincleuin.

KNIGHTS, PRIUEY COUNSELLORS OF SCOTLAND.

Sir Archibald Napeire.  
 Sir John Hamilton.  
 Sir George Elphingston.  
 Sir Andrew Kerr.  
 Sir William Alexander.  
 Sir John Scott.

OFFICERS.

Sir William Seaton, Master of the Household; equall to the  
 Treasurer or Comptroller of his Majesties House heere.  
 Maister John Oliphant, his Majesties Agent; equall to his  
 Majesties Solicitor heere.  
 Maister William Chambers, Treasurer Clerk; equall to Sir  
 Robert Pye, Auditor of the Exchequer heere.  
 Maister John Fenton, Comptroller Clerke; equall to the  
 Clerkes of the Greenecloth heere.

These verie Scotife Nobellmen present at the Funerall of King  
 James, in Maij 1625.

## CCCXLIV.—THE LORDS OF PRIVY COUNCIL TO KING CHARLES I.

MOST SACRED SOUERANE,

THE charge and burding of your maiesteis seruice agains the rebellis of the Claneane, (be whome, not onlie youre maiesteis awne subiectis, bot the subiectis of otheris princes, your maiesteis freindis and confederatis, wer haviellie distrest and robbed of thair shippis and goodis, and some of thame cruellie and barbarouslie slayne), being committit to the Lord of Lorne, he, oute of his humble and dewtifull respect to your maiesteis obedience, not onlie willinglie vndertooke the seruice, bot he hes prosequute and followit the same oute, with grite resolution and dextertie; and that with his awne proper freindship and forceis, without ony trouble or burdyne to the cuntrey, in so far that, whereas it is vsuall throughout the Ilis, in expeditionis of this kynd, that victuallis ar takin without payment, the said lord wes so respectiue of his credite in that point, that haueing fyfteene hundreth men in his company, he tooke fuche ane strait ordour with thame, that, during the wholl tyme of the seruice, nane of thame durft meddle with ony victuallis, bot for present and redde payment. In the prosequitioun of the seruice, he hes execute, be course of justice, ten of the rebellis; he hes slayne sax of thame; and he hes broght heir to the burgh of Edinburgh fourteene, who ar to vnderly thair tryall and punishment. He compeirit this day befor youre maiesteis counsell, and gaif ane accompt of his diligence and procedingis in the seruice, wherin we find that he hes approvin him self anfuerable to the truist wes repoised in him. And whereas he is a young nobleman, and this is the first of his imploymentis, wherin he hes worthelie and dewtifullie discharged him self, we could not forbear to gif notice of the same to your maiestie, to the intent, that yf the lyke occasioun of seruice fall oute in the Ilis or Heylandis of this kingdome, your maiestie may be assured of

one who is both able and willing to serue your maiestie. And so, in all humilitie recommending him to your maiesteis fauour, and his seruice to your gracious allowance and acceptance, we pray the Almighty God to watche ouer youre sacred persone, and to blisse youre maiestie with mony lang and happie yeiris, and we rest for ever

Youre Maiesteis most humble and obedyent  
subiectis and seruitouris,

GEORGE HAY.  
PERTHE.  
A. MAR.  
MELROS.

MORTON.  
ROXBURGHE.  
WINTOUN.

Edinburgh, 29 July 1625.

To the King his most sacred and  
excellent Maiestie.

CCCXLV.—THE LORDS OF PRIVY COUNCIL TO KING CHARLES I.

MOST SACRED SOUERAIGNE,

WHEREAS your maiestie wes pleasit to recommend vnto ws, the taking of some cair in the Duke of Lennox his affaires, and to foirfee that his estate and leving wes prouidentlie and ordourlie managet by the commiffionaris intruisted thairwith; wee, according to oure bundin dewtie, wald haif bene most solist to haif gevin vnto your maiestie satisfioun thairin, bot the absence of Sir George Elphinstoun, one of the saidis commiffionaris, and who hes the speciall handling of that mater, hes bene a grite lett and hinder to our proceidingis, feing, without him, wee could gett nothing done thairin; quhairthrow thair is nouthar compt tane of the chalmerlanis, nor yitt of the tennentis, of whome some ar become

verie poore, and the longer that thair dewtyis ly in thair handis, thair payment will prove the more difficle. And thairfoir, wee will humblie intreate your maiestie, if Sir George be not shortlie to come home, that your maiestie will mak choise of the Lord Carnegye, with suche otheris as your maiestie will intruist, with the charge of the said duke his leving, and hes his constant abyding in this kingdome, to the intent, the absence of the one be not a preiudice to the other; and whome wee fall not onlie affist with oure aduise and counsell, in all that concernis that charge, bot wee falbe carefull, fra tyme to tyme, to craue ane accompt of the progres of thair procedingis thairin. Quilk, remitting to your maiesties royall confideratioun, and praying God to blifs your maiestie with mony long and happie yeiris, wee rest

Your Maiesties most humble and obedient  
subiectis and seruitouris,

GEORGE HAY.  
A. MAR.  
MELROS.

Edinburgh, the first of August 1625.

To the King his most sacred and  
excellent Maiestie.

CCCXLVI.—EARL OF NITHSDAILL TO THE EARL OF ANNANDAILL.

MY LORD AND BROTHER,

I HAUE, at this present, refavit your letters of the 18 of this moneth, wherby I perfave the humur of our leading men continueth to oppose the kingis directions. Lett tham anfuer, when they cum heir, for

it. I did think yow had alredie bein wpon yowr iurney; tharfore haift, that yow may be hear as sone as they. I am sorie that yow sheuld have put yowr hand to dyvers letters cum hear from the counsell, spefiallie anent that of the settilling the counsell. The soner yow be hear the better; yow may be confidante, that quhat concerns my selfe, fall be noe dearer to me then what belongs to yow, ather in honour or wtherveyis. From him who fall be alweyis

Yowr Lordships brother and fervand,

NITHISDAILL.

Hamton Court,  
November the 28, 1625.

To my noble Lord and Brother, the  
Earle of Annandaill.

CCCXLVII.—LORD BINNING TO THE BISHOP OF THE ISLES.\*

MY VERIE HONORABLE GOOD LORD,

I HAUE presentlie reffaued frome your lordships footeman, your lordships letter of the fourt of September, from Bredick, signifeing your lordships messages to the rebelles of Duniveg, the offer to thame, of his maiesties remission, and there tryell of the sufficiencie therof, and, nottheles, there delay to giue there obedience, till your lordship go to Ila, whiche now your lordship is prepareing to do. I am verie sorie of

\* The following four articles, relative to the disturbances in the Isles, occur in a volume of MSS. amongst the Balfour Collections, which having been used by the late Mr Gregory, for his History of "the Highlands and Isles of Scotland," was not returned to the Library in sufficient time to enable their insertion at the proper date; they have therefore been placed together at the end of this Collection.

the progres and succces of that busynes, which appeares to be miscarryed, not without your lordships ouersight; for when his maiesties commission wes, according to your lordships desyre, granted to yow by the counsale, and fuche remission exped to the rebelles as your lordship requyred, your lordship vndertook, and faithfullie promiseid to the thesaurar depute and me, that your lordship should go in person, with all possible diligence, to Ila, being confident to find readdy obedyance of the rebelles there; and, after your lordships parteing from ws, we delt with your lordships sone to haist after your lordship, to latt your lordship know that we had perswaded the Earle of Caithnes to promiseis, so sone as he had performed his vnder-taken commission, to tak fordward his shippes, shouldiours, and canones, to affeage and batter the house of Duniveg, yf your lordship should mak ws speedie aduerteisment of there delay or disobediance of your charges, as his maiesties commissionar: for which purpose, wee wrote verie particular to your lordship, by Duncan Campbell, whom wee send expref-lie to your lordship, commanding him, and requeisting your lordship, that he should not returne to ws whill he had accompanyeed your lordship to Ila; and vpon the sight of the event of your trauelles, might haue reported to ws, by your lordships letters, and his owne sight, the certantie of thinges; whom your lordship send back to ws from Bute, with your letter, bearing faithfull promese, that his jorney should not be necessar, but that your lordship should go presentlie then fordward, and returne ws good and speedy contentment; whereby, finding our selues far disapoynted of our expectatioun, of new, wee drected Duncan Campbell, vpon the 29 of August, with our letteres, whiche wee thoght should have fund your lordship in Ila, and have againe, this tyme, reported the estate of your proceedings. But now, finding that your lordship is still in Arrane, and begining to mak your preparationis as for ane seruice to begin, we have good cause to regrave the inexcusable losse of so good tyme as the season of yeare, whiche brings on vnmendable difficulties, and is lyk-lie to mak the Earle of Caithnes vnhabable to do the seruice, and so to giue your lordship lesse incuragement, and such advantage to the rebellis, as may mak his maiesties house, which wes lossed by default of your keepars, to be deteaned by the rebelles, whill the nixt somer; it beeing

more probable that your lordships imploying of the cuntrey people to inclose the house shall giue thame vexation, nor bring difficulties or necessitie of ouergeveing the house to the rebelles, to whom your lordship hes, befyd the aduantage of there former preparation of victualis, given occasion, by this delay of tyme, to furnishe thame selues with new cornes. Neuertheles, I haue delyuered to your seruand the warrand and direction in wrytt, which your lordship craved to Donald Gorme, and shall, with extreame diligence, cause exped all that you can reasonable require, for furtherance of your vndertaken charge in his maiesties seruice. I pray your lordship confider of your burding according to the weaght thereof, and imploy your judgement, frendes, and powar geuen your lordship by his maiesties commission, for the speedy and duetifull performance thereof; for your owne credite and his maiesties honour and contentment, of whose gracious confideration of good seruices no man knowes better the affurance and experiance then your lordships selff. So, hopeing vndoubtedlie that your lordship will stryve, with care and diligence, to amend bypast negligence, and wisheing your lordship happie succes in this and all other your affairis, I rest

Your Lordships assured freind to be commanded,

BINNING.

Edinburgh, aught of September 1614.

Your lordships man hes not had cause to stay heere ane houre vpon his answer, and hes reffaued money for his charges.

Indorfed by Lord Binning :

“Copie of my letter to the  
Bisshop of the Isles.

“8 September 1614.”



## CCCXLVIII.—ARCHIBALD CAMPBELL TO [LORD BINNING?]

PLEIS your lordship to heir ane accompt of his maiesties service fence my going to Dewling. I cam to Dwling on the twentie of November, where I stayit whill the fowre of December, attending the shiping of two cannons, and one culwring with wtheris neecessaris, belonging to his hienes service. My lord, I cannot omitt to remember your lordship, of the gryt cair my Lord Deputie of Ireland did taik, in dispatching, with all diligence, such thingis as was committit to his charge.

On the fowrt of December, Sir Oliver Lambert, commander of his maiesties Iyrish forces, shipit in his maiesties ship callit The Phoenix, accompaneit with the Moone, one of his maiesties pinages, a hoay, wherin the ordince wer, and a Scottis bark with wittallis. They cam to Aulderfleit, neir to Knokfergus, where they ankerit, and Sir Oliwer Lambert went to Knokfergus, where he stayit thrie or fowre dayis, attending sum timber neecesser for the ordince, and for shiping a hundereth and fyftie foldioris, who war appoyntit to gard the cannon.

On the thretin of December, at night, they weyghit anker, and did taik faill towards Illa.

On the fowrtein day, abowt two of the klok in the afternon, thei cam to ane anker in the fownd of Illa, at the Whit Foirland of Jwra. I expectit to have hard of the Livtenants being in Illa, attending the cuming of the cannon, bot for two dayis, I culd not have occasioun to meit with any to demand newes of.

On the fextein day, Donald Gygay, commander of the Ille of Jura, cam aboard where I was in the Phoenix, wha shew me that the liwtenant haid beine for the fpace of fowrtein dayis in two littill iyllis, neire to the castell of Dunywege, and that he haid retwrnit bot two dayis befor oure cuming. Likwayis, he shew me that the liwtenant remanit at Duntrown, prowying niwe wittallis, and wold be redie to retwrne to Illa, so soone

as he were adwerteifed of the cuming of his maiesties fhippis. I derec- tit away a letter to the liwttenant, fhewing him of our cuming.

On the twentie two day of December, the liwttenant retwrnit me ane anffre, and wrot to Sir Oliwer Lambert, defyring him to hawe a littell patience, and he fould be with him, with all poffibill diligence.

Sum of the men of Jura and of Illa, wha cam in to fpeik with me, re- portit, that a litell befoire the lewtendants cuming towards Illa, thair cam one, callit Grahame, to the caftell of Dunywege, wha fhew the rebelles that he was derecēt it be my Lord Chancler to receawe frome them the pledgis and the hous, and for his warrant, he alledgit to hawe instruc- tionis vnder my Lord Chancleris hand, for obedience wherof, the rebelles haid randerit wp the pledgis and the caftell; and that this Grahame haid maid Angus Oge conftable of the caftell.

Hawing not hard frome the liwttenant, how fare he haid proceidit with the rebellis, I fhew Sir Oliwer Lambert of the report I haid hard, where- by Sir Oliwer tuik occaſioun to writ, and fummond the rebelles to rander the hous. The copie of Sir Oliwer Lamberts letter, I hawe herewith fend to your lordſhip, and the rebelles anſwer to Sir Oliwer.

Sir Oliwer being defyrous to wnderftand the ftrenth of the caftell, and to hawe a wiew of thair alledgit warrant frome the chanclere, ſent Cap- tan Parkins to report to him the trew eftait of both. The copie of Sir Oliweris ſecund letter, with the copie of Grahams alledgit inſtructionis, I hawe herewith ſent to your lordſhip. Efter that I haid ſeine the copie of Grahams inſtructionis, I fhew Sir Oliwer Lambart, that, in my opin- ioun, all that paſt betwixt Grahams and the rebelles was dewiſit by Grahame him ſelf, for releif of the pledgis.

What gryt chargis Grahams dealing hes put his maieſtie to, and what gryt paynis his doingis hes bred to thos wha follovit his maieſties ſer- vice, I leive the report thair of to a better tyme.

On the fyft of Januar, the livtenant met with Sir Oliver Lambert, at the Whit Foirland of Jura, being fowrtein or fyftein dayis afoir, ſtayit by con- trarie wynds, and wehement ſtormes, ſuch as Caaptane Buttone, caip- tane of his maieſties ſhip, calit the Phoenix, a worthie gentelman, na thing inferior in knowledge of ſea fearing matteris to any in his maieſties do-

miinons, afirmis that he newer indwrit the lyk, nor vas newer in a moir dangerous place.

On the fext of Januar, the livtenant landit in Illa, and immediatlie thairefter fumond the countrie peopil, nixt agiscent, to geve thair compeirance, and to prowyd horffes for his maiesties Yrishe commanderis and fouldiouris.

Sir Oliver Lambert, at his meting with the livtenant, fthew him, that he behowit to have beivis for his fouldiouris, and that he haid not brought no mony with him, for witling of his foldiouris.

The liwtenant caufit prowyd thretie fyve beifis, weeklie, for his maiesties Yrishe forces, which thei haid dwlie gewin them. At the liwtenants first landing in Illa, he was bot two hundereth men. On the nixt day thairefter, thair cam to him fewin fcoir men. On the nynt of Januar, the liwtenant derectit Maister Donald Campbell and me, with aught fcoir men, to march befoir him to the castell of Dunywege, and if any of the rebelles wer on the feildes, to perfew them, the which we did.

The liwtenant hawing prowdydit horfe for his maiesties Yrishe companies, wha landit in Illa the nixt day efter the liwtenant landit in Illa, the liwtenant and thei marchit together, on the nynt of Januarj, to Portinellan.

On the tent of Januarij, the liwtenant, and the Yrishe companies, marchit to the Lagan, fum fowre myll frome the castell.

On the elevint of Januarj, they marchit to Baleneill, which is within a myll to the castell.

On the twelft of Januar, the liwtenant marchit with his awin companies to Balenachtan, which is within half a myll to the castell, wher Maister Donald Campbell and I haid remaynit two dayis befoir. His maiesties Yrishe forces stayit at Baleneill, in regaird thair was no lodging wher the liwtenant remaynit.

On the fyftein day of Januar, the hoay, with the rest of the shipis that attendit the fervice, faifing onlie his maiesties awin ship the Phœnix, cam to the Ill of Tixa, which is within a myll and ane half to Dunywege, wher, foir the fpace of too or thrie dayis, thei indwrit a mast wehement fforme.

One the auchtein day of Januar, the pillats wha wer fent be Caiptan

Bwttone to wnderstand if thair was any faif ryding at the Iyll of Tixa for his maiesties ship, went back to him, and shew him thair opinioun of the rod.

On the twentie day of Januar, the liwtenant him self went in his gallay with a number of boitts, and onlodint the hoy, and the wther shipis, of the shoat, pouders, and timber, and such wther necessaris as belongit to the ordince, and all thair pickaxes, shoollis, watellis for the fogeris cabinis, and deall boordis, to build houffis for his maiesties Yrishe commanderis.

On the twentie ane, the liwtenants boatts attendit as thei did the day befor one, the twentie, and in the night foure of the rebellis stoll away owt of the castell of Dunywege, wha war receawit be the liwtenant, according to the tennor of his hienes proclamatioun.

On the xxi of Januar, Rannald MacJames, wha haid taikin in the Ille and Fort of Lochgwrme, did rander the fame to the liwtenant, and hes promiseit to do service against the rest of the rebelles; in regaird wherof, the liwtenant hes affwrit him and his son of his maiesties favore. Rannald Macforle, with Donill Baillie, Johne Macdonill Baillie, and Sorlle M'Alaister, with Donill Baillie, hes randerit them self, and promiseit to do service, conforme to the act of councell, for thair remission.

On the 22 day of Januar, the liwtenant vent, and Sir Olipher Lambart, weiuing a place for landing of the ordinces, the whiche wes fund owt werrie happillie, although sum what vnder the dangir of the castell.

On the 18 day of Januar, the Phoenix, his maiesties ship, came to the Ille of Tixa, hawing indwrit, the Wedinfsday before, no les danger, by the extremite of the storme, than all hir worth; and having castin anker neir to the faid Ill of Tixa, sho indurit, for the space of thrie dayis, a most wehement storme; so that, if thair haid not bene a better rode fund owt by Caiptane Buttins painfull cair and diligence, than the rode of Illan Tixa is, of all necessitie his maiesties ship behowit to hawe bene difmissit. Bot he espyit a place, the Lodomes, where his maiesties ship lyes without any danger.

On the 23 day of Januar, Caiptan Button did man his awin boat, and ane vther ship boat, and causit the hoay be brought to the place apoyntit for landing of the cannon; the hoay hawing come wnder the shoat of the

castell, whiche of all necessitie sho behowit to do, the rebelles did tak thair adwantage, and powrit owt a great many shoate one the twa boats that wer a bringing in the hoay, bot no harme was done, praisit be God.

On the 25 day of Januar, the culwring and cannon were landit.

On the 27 day of Januar, the wther cannon was landit, where the livtenant and all his people did labour, as thei did the day befor, in bringing thame ashore; and the same day, in the efternone, one of the cannons being adrawing frome the shoare towardes the place where the platforme was to be maid, thei brocht the cannon within shoat of the castell, whairof the rebelles, taiking thair adwantage, powrit owt a great many shoat amongst ws, where Caiptane Crawfwrde, a worthie gentelman, was shoat in the small of the lege, and within fyve or sex dayis efter, had his lege cut of be the knie; and within twa houris thairefter, he diet. Thair was likwayis, at the same tyme, one of the livtenants company was shoate in the bodie, and leift bot a few dayis. The wther cannon and culwring being brocht wp, and plantit neir to the platforme, all our companies being likwayis intrinchit in the moift commodious pairts round about the castell, so as thair was no hoip for the rebelles to eschape be land.

The platforme being finishit, the ordinces were brought and placit, and one the first of February, in the morning, the cannons and culwring played; hawing shoate many shoates, the rebelles sent vp a boy with a lettir in a clofin stick to the liwtenant, defyring him that he wold fend down sum of his freindis to parle with thame; he retwrnit thair berar, and defyrit to tell Angus, if he wold not cum to him where he ves, on promise of his faif retwrne, he should hawe none of his freindis to parle with him. The messenger went not sooner back to the rebelles, when thei sent him to the livtenant back agayn with ane wther letter, defyring him, that he wold cum and meit with Angus, in the midway betwixt the castell and where he campit, he retwrnit the messenger, and told him as he did before. All this tyme the cannon and culwring plaid, faif onlie sa long as the berrar was in his cuming and going. About sex of the klok at night, Angus wryt to the liwtenant ane wther lettir, defyring him, that he wold, in the nixt morning, the secund of February, fend to him Sir Thomas Philiphis and Archabald Campbell, and he him self wold cum

with them to the liwtenant where he was. The liwtenant adwyfit with Sir Olipher Lambart, what anfuer he should maik to him. It was thought expedient that thei should go and meit with him, and with all, the liwtenant shew the messenger that he wold protract no tyme, bot the canons should play still, saif onlie quhill Sir Thomas Philipis and Archabald Campbell ware in bringing of Angus to the liwtenant: Be this tyme, the rebelles ware greatlie discouragit be the effect of the battrie that was the first day, and fearing that thei wold adventwre thame felfis to go away be sea, the luiftenant did strenthin his guard, which he kept on thame by sea the nights preceeding, and directit Maister Donald Campbell, with sum wther speciall gentelmen, to watch the rebelles by sea that night, and Caiptan Button, wha has beine a willing indeworrer of him self, to forder the service, did all that night watche the rebelles in his longe boat.

The 2 of February, in the morning, efter manye shoats of the cannon and culvring, the luiftenant sent Sir Thomas Philips and my self, to bring Angus to him as apoynted the day befoir, wha cam with Sir Thomas Philips to the luiftenant.

The luiftenant hawing demandit Angus of syndrie particularis in preface of Sir Oliwer Lambart, Sir Thomas Philips, and Caiptan Bwtton, Angus told the luiftenant, how he haid, at the desyre of my Lord Chanceler, randerit wp the pledgis and the castell to one callit Grahame, and that Grahame haid commandit him to keip the castell for the kyng. The luiftenant lett Angus wnderstand, by many good reassouns, that Grahame, as the luiftenant vnderstood, had no fuche power, no derection, and that he thought verrille that Grahame haid deceavit him.

At lenth Angus returnit back to his affociats, and promeist presentlie to come him self, and so many as wald fallow him, and rander them self in his maiesties will. The luiftenant sent with Angus, two gentelmen, to conduct him back frome the castell. Angus na fooner cam to the castell, then he retrurnit the two that were sent with him, desyring them to shew the luiftenant, that, on no conditioun, wald he rander him self. Than the ordince was plyed, which haid not shoat above fevin or eight shot, when Angus sent to the luiftenant, desyring ane wther parle. The luif-

tenant refuist to anfuer him, bot commandit me to affure him, that the luiftenant wold heir no moir of his delayis. Abowt fyve of the klok in the evening, Angus fent to me a meffenger, defyryng that I wold craue the luiftenants promeis, that the luiftenant [fhould obtain their lives? \*] at his maiefties handis; the whiche I fhew to the luiftenant, wha anfuerit me, that he wald mak no promeis to any of the rebells, nether wald he remember any privat quarrell of his awin againft Angus, bot fo for as his place wald command him. All this tyme the cannon and culwring played on the caftell, the meffenger being on his way to the caftell; and Angus, not abill to withftand the feage any longer, was cum furthe owt of the caftell, where all that were abowt might fie him; and in the midway, Angus being cuming to rander him felf, the meffenger met vith him, and told him as I hawe writtin.

Angus hawing cum to the luiftenant, betwix fyve and fex a klok at night, with fum wther of the principall of the rebellis, thei knilit all befoir the liwtenant, in prefence of all that wes thaire, and told that thei wer cum, in all humilitie, to rander them felf in his maiefties will, withowt any conditioun. Likwayes, he told the luiftenant that fum of the rebelles, wha were in the caftell, haid defyrit him to ask if the luiftenant wald be pleafit to affuire them, that thair lyfis fhould be faif wntill thei werre brought afoire the confell. The luiftenant fent me to Sir Oliwer Lambart, to let him know of this meffage. In the meane tyme, the luiftenant directit his boatts to ly watching the rebelles, if thei fhould steill away be fea, as he did ewerie night befoire. Bot the cuming in of Angus, almoft wnder clood of night, and the meffage he brought frome the ref of the rebelles, as, likwayis, Sir Oliwer Lambert hawing affuirit the luiftenant, fo fhone as it were dark, he wold fend his companyis to lodge wnder the wallis of the caftell, the which, whill I was my felf with Sir Oliwer Lambart, fhewing him the meffage that Angus had brought frome the ref of the rebellis, Sir Oliwer was prowying his companyes to go to the caftell, and stayed onlie to let thame hawe a littell meatt, for thei haid laborit werie hard all the day befoir,—thos that werre attending the boattis, knowing of all this, it maid fum of them the moire neglegent,

\* Something has evidently been omitted here.

hoiping that thei should hawe littell or no thing ado. I haid no sooner taikin leave of Sir Oliwer Lambert, being on my way towardes the liwtenant, when the rebellis, w<sup>h</sup>it owt in a boat, whiche thei haid fittit for the purpos. Sum of the luiftenants men, that watchit for them by sea, did give them a woillie of shoat, and lenchit owt thair boatis and followed them, which the rebellis an<sup>s</sup>uerit with thair shoate; so as the luiftenant, Sir Oliwer Lambert, and all that war one the shoare, might sie the luiftenants boattis and the rebellis boate gif fyre to w<sup>h</sup>ere a longe tyme: A rock likwayis neire to the castell, wherone thair was plantit a number of muskiteris, did gewe the rebellis, at thair w<sup>h</sup>ing owt, a woillie of shoat. The rebellis boate, being moire swift then the boats that werre apoyntit to watche them that night, did ower rowe them; and the rebellis boatte being sum what on thight, althoghe werie swift, thei were forcit to drawe to the narrest shoire thei culd cum att, and landit in the Oe of Illa, where thair boate wes suink. The luiftenant sent presentlie efter thame, in ewerie corner of the cuntrie, and causit brek all the boattis of the Ille, so as thei can not eshaipe.

One the 3 of February, the luiftenant did hold ane justice cowrt, where thaire w<sup>er</sup>e, of the rebellis that war taikin in the castell of Dwnywege, fowrtaine hengt. Angus Oge him self, and Alaster M<sup>c</sup>Karlye, one of the ringlederis, and two messengeris, that ar privie to all the rebellis proceedingis, ar to be sent to the counsell, thair to be examin<sup>i</sup>t. I wnderstand by Angus that he hes not beine the first dewyffer of this treassoun. I leave to wryt any moire of this wntill a better tyme. Thair ar sex wha war aprehendit in the Ille and fort of Lochgwrme, to be execut one the sext of February. Thair ware sex of the rebellis that went owt of the castell, one the boat aprehendit and execut. Thair is onlie, at the writing heirof, foure of the name of Clandonald as yet onaprehendit. Thair ar nyne or tenn of w<sup>h</sup>er clannis, wha war thair affociats, as yet onaprehendit: Thei ar seprat, and the foure M<sup>c</sup>Donaldis ar be them selfs; and the rest of the w<sup>h</sup>er clanns ar ewerie ane be them selfis. Sence my cuming heir, I fand owt a number of images, whiche I hawe cauffit be bruntt. The religioun that the cuntrie pepill hes heir amongst them is Popishe, for thair is newer a minister in the wholle Ille, except wan poore



man, that the biſhop did leave heir. I wnderſtand, be the luiſtenant, that he hes iuſt caus to complein of thoſe wha war commandit to aſſit him be the proclamatioun.

Dwring the ſerwice, thair is nether boat nor bark come frome Scotland with any furniſhing, nochtwithſtanding of all drectionis that the counſell gave for the ſame.

This is the trewe accompt of all that hes as yet proceidit in his maieſties ſerwice.

AR. CAMPBELL.

CCCXLIX.—SIR OLIVER LAMBERT'S LETTER TO THE REBELS.

THAT his maieſtie ſhould drect his forces, his cannons, and his prowiffioun, at this tyme of the yeir, and put himſelf at ſo grypt a charge, wnto a place that is alreddie in his ſubiection, can not but be much doubtit by me; and being loth to ſpend any longer tyme in this, if that ye wryt be trew, I fend this my ſerwant, both to reid your warrant, and to bring me a trew coppie thair of, wnder your hand, which I expect preſentlie, and the ſaif retwrne of this berar. Frome the Whit Forland, the 16 of December.

Indorſed :

“ The copie of Sir Oliwer Lambertis ſecond letter to the Rebellis.”

CCCL.—COPY OF GRAHAMES ALLEDGED INSTRUCTIONS.

*God Sawe the King.*

MEMORANDUM OF THE CHANCELERIS DIRECTION TO BE OBEYIT.

FIRST,

To ſpeir at the caiptanes of Duniwege, whome thei hawe to warrand them frome the forces of the kyng of Britanes power and all

thes nationes, wha ar chargit, not only to tak the castell, bot to apprehend them whiter thei go.

Secundlie, To defyr the faid caiptanes, in the counfellis name and myn, to rander yow the prifoneris and hous; and yff thei be loth to twin with the hous, that yow mak ane of thair awin chosing, caiptane, till the kyngs will and counfell come till them. This, if thei do withowt any ferimonies, I promise yow be word, that the counfell and I fall work at the kyngs hand, to forder any thing resonabill thei wald, and fall send yow, or any wther, to court for that effect.

Thridlie, If the faid caiptanes, or any of thair freindis, hes any petitions to the king or counfell for \_\_\_\_\_, let them send the same with yow, and ye fall have ane answer back agane tharof shortlie, and the counfell fall do for them thairin.

Fowrtlie, If thei have done any misorder, that thei wald have remission, or suspentioun, or relaxatioun, bring with yow the informatioun, and thei salbe grantit, fwa that thei obey yow in owr name, quhilk we ar assurit thei will.

Fyftlie, Let thame know quhat gryt expenffis the kyng was dryvin to be the feige of Kirkway, quhat gryt anger he conceawit for the same, and how mercieles all was execut; and if thei hald fwrthe till thei be bot chargit with the Lyoune, no remeid is for thame, and all the kinred in Scotland; and if thair kin in Iyrland gif thame bot cowntenance, thei salbe wterlie wrackit.

Sextlie, If thei obey ws in your persoune, we fall not onlie labour at his maiesties handis for thair pardoune, bot for thair possessiounis at the kingis hand, fwa that thei pay for the same, as salbe modifiet, and fynd catioune for the same.

Sewintlie, If ye will bid my self be catioun for them, wnder siche con-

ditionis, as I hawe shawin yow, I will not fail to do the same, and will labor for them all that I may. Sa, wishing yow a hapie journey. 17 November.

This is the trew copie of the chancleris warrand, receawit frome George Grahame, that day I delywerit possessioun of this castell to thame, in the kyngis behalf. Witnes of our handis, the 17 of December 1615.

ANGUS OGE MACDONALD.  
COLL MACGILESPIK.

Indorfed :

“ The Copie of Grahams aledgit  
Instructionis.”



## ADDITIONAL LETTERS.



## ADDITIONAL LETTERS.

CCCLI.—LETTER, MR THOMAS HAMILTON, LORD ADVOCATE, TO THE  
LORD SECRETARY.\*

My lord, conforme to your lordships letter, I haue gevin to Mr Adame, your lordships ansuer to the questionis, with Johne Knoxis appellation, sa fone as Maister Peter cummis to this towne, I fall get the Frenche discipline fra him and delyuer it to Mr Adam. As to your warrands for the bukes of the presbiteries and session of St Androis, and of the session of Pittenweme, thay will be grantit; bot gif thay requyre secrecie, I wald your lordship cauffit wryte thame with ane vnknawn hand, and fend thame to me, and thereafter I fall caufs subscryve thame, and fend thame bak to your lordship; alwayes your lordship hes to consider gif it be expedient to kyth in over mony of these turnis whill the kirk of Edinburgh be provydit, whairin it is brutit that our auld pastouris hes ane respect to thair returning hame agane, and the king professis planelie as he utterit it in the assemblie, that he will haue it vther-

\* From the Balcarres Papers.

wayes. It fervis me to wairne zowr lordship, for whan this is said I fall do what zowr lordship resolves to be best.

I have fend to the Clerk of Register for the ficht of the auld commiffion anent the vifitation and reformation of the Vniuerfitie of St Androis. I hope to get it with fik diligence as he vfis in extracting of all fic maters, and it fall not therefter mowle in my poutche, but fall be fend to zowr lordship with haift. I vnderftand that his maieftie meanis that Maifter David Blak fall be transplantit; bot as to Maifter Robert Wallace, it appeiris be that his maiefties felf hes said to me, that the bill is fowlit, and aggreit, for efter that his maieftie had handlit him verie fchairp-lie in oppen affembly, baith vpone Satterday and Mononday left. Vpone Mononday, at evin, Maifter Robert came to his maiefties chalmer at ellevin houres at evin, grantand his great overficht, and declairand the fame to have proceidit of the weftland voyaige whilk he maid with Maifter Robert Bruce at the triumphant vifitationis of the kirkis of that cuntry, with thair mouftouris and wapinfchawings, and vpone ane vniuerfall conclufion had amongis the maift zealous brethren to ftryve *a qui mieux mieux* fould invey againis the papift lordis and his hienes counfellouris whom the brethren fufpectit to be the inbringeris and menteaneris of thaim in this cuntry. In end he promefit that heirefter whan he hard any fik reportis of his hienes or counfall, he fould wryte to the kings minifters thairanent, and conforme to the tryell and anfuer, fould proceid, and na vtherwayes: Whilk condicion feymis to be acceptit, with proteftation that his majestie fould nocht mak him the war for ony thing he had fecretly difcouerit to him. Patrik Murray caufit his maieftie command me to forme his Inftuctions anent his proceidings in his Northland journey; I anfwerit I fould fend thame to zowr lordship not for my awn sweirnes, bot that zowr lordship fould not be mifknawn in zowr office, nor weir owt of employment in zowr office. Gif I reffaue the minute of thame, I fall fie ane boy and haift thame to zowr lordship. Tak ordour be zowr letter to William Mauld, that gif any fik occafion fall furth hereafter, he may fend zowr lordship bearars. Zowr freinds heir ar all weill and better nor zowr felf.



It appeiris be my Lord Eglifchamis returning from Beruik, that ane fleand man will fecht agane, whilk appeirs alfo be owre brethir, the paf-tours of this towne. We ar now buſie to fatiffie the Inglis ambaffadour, and pay him in vther money nor be the delyuerie of oure wairdanis, whilk all men is ſtokkit to refuſe. Swa, having no farder occaſion at this preſent, committis zowr lordſhip with my gude lady (to whome I wiſs lang lyfe with continuance of hir gude mynd) to the proteſtion of God. At Edin-burgh, this 21 May 1597.

Zowr Lordſhips affurit to be commandit,

MR TH. HAMILTON.

*Postſcript.*

Gif my letters be heirefter confuſit and ſpurrit, I hope zowr lordſhip will impute it to his maieſties preſence, and the ſeſſion ſitting.

I haue reſſaut this nicht at evin from Patrik Murray, the copie of the articles ſet downe be the aſſembly, as Inſtructions to the Commiſſionaris appoyntit for reſolving and abſolving of the erles. I beleve zowr lordſhip will not think it neceſſar to mak ony farder mentioun thair of in Patrikis Inſtructions, bot generallie to direct him to concur with the Commiſſionaris of the kirk to moue the erlis to fatiffie and obey thair articles.

Zowr lordſhip will likways reſſaue the copie of the band ze formit to be ſubſcryvit be the Erle of Huntly and his cautionars. It is neidfull that it be renewit, and ſamekill thair of retranchit as is alreddie performit, omitting his removing furth of the cuntrey, his behaviour, incais of his removing, his keeping of wairde, and ſik vther articles as ar all tane away be his ſatiffaſtioun of the kirk. Alwayes zowr lordſhip having conſiderit

the kings articles minutit be Maister Hercules, and the copie of the kirkis articles, 3owr lordship will consider how mekill will be expedient to be insert in the band aither generallie or particularlie.

The kings articles ar pennit be Maister Hercules, onlie to serve for information : he begins in the third person to speik of the king, albeit the Instructions proceeds of the king. 3owr lordship will keip the substance and correct the formalitie. In the article concerning the reconciliation of the feidis and grudgis, it seymis gude 3owr lordship direct Patrick to be principall Commiffionar for his maiestie, and he to inform the ministers nominat be his maiestie in the last assemblie to concur with Patrik according to the information to be gevin to the ministers be him of the kingis mynd thairanent.

Reffaue the commiffion for visitation of Collegis in anno 1578. The Clerk of Register says 3e haue alreddie ane commiffioun laitlie grantit to 3owr self.

Efter advysement, gif 3owr lordship will collect ane forme furth of baith the formes, with sik additions anent your inquisition, creatioun of 3owr procutour fiscall, and siclyk heads, and send it over to me, it fall be past with 3owr vther warrands.

I pray 3owr lordship send bak Patrik Murrayis Instructionis als sone as they may be reddie. *Iterum atque iterum vale.*

To my verie gude lord, my Lord  
Secretare.

*Indorsed,*

“ My Lord Aduocat, anent the Erle of  
Huntlies directions, Ministers, &c. Martij  
21, 1597.”

CCCLII.—INSTRUCTIONIS GEVIN BE HIS MAIESTIE TO PATRIK MURRAY, GENTELMAN OF HIS HIENES CHALMER, TO BE DONE AND PERFORMET BE HIM IN THE NORTH PAIRTIS OF THIS REALME, QUHAR HIS MAIESTIE HES PRESENTLIE DIRECTIT HIM, FOR ACCOMPLISHING OF THE SERUVICES VNDERWRITTEN.\*

1. INPRIMIS, forfameikill as the generall affemblie of this realme, hes grantit commiffione to certane minifteris to abfolue the Erllis of Huntlie, Anguis, and Erroll, fra the fentence of excommunicatioun, the faidis Erllis firft fulfilland certane conditionis, inioynet to them be the faid affemblie; quhilkis conditionis being maift reafonable, tending alutterlie to the glorie of God, and to the auancement of the trew religione, quharby ve of our princle dewtie, hes maift fpeciall entres to fei the famin accompliffet: Thairfoir ze in ovr name fall be prefent with the faidis Commiffionaris of the Generall Affemblie, at the dayis and places appoyntit, to the effect ze may fei, and report again to vs fufficient documents anent the actuell fulfilling of the faidis conditionis in ewrie head and article therof, according as thay ar fet downe in the faid aët of the Generall Affemblie.

2. Secundlie, ze fall prefent to ewrie ane of the faidis thrie erllis, the coppie of the generall band, and requyre them in our name to fubfcryue the fam, and to find fufficient cautioneris for ther obedience to vs, and for ther keiping of our pace and guid ordoure in the cuntrie be them felfis, ther kin, freindis, feruandis, and tenentis, &c. conforme to the faid generall band in all poyntis, ilk ane of the faidis erllis, vnder the paine of tuentie thoufand pund, as dyuers vtheris of our nobilitie of ther ranke, and vtheris cheifis of klanis hes done of befoir; for the quhilk effect ze fall refaue letters directit be vs, and the Lordis of our Secret Counfell, to chaig the faidis erllis, and eurie ane of them, to fubfcryue the faid generall band, and to find fufficient caution for obferuing therof; quhilk band and obligatione, fua fubfcryuett be them and ther cautioneris, ze fall

\* From the Balcarres Papers.

report againe to vs, to be registerit in the buikis of our Secret Counfall: And gif ther be ony dowt, that ony of the said cautioneris is not responsible, 3e fall aduerteis vs, and our counfall therof, that 3e may know our aduyce therin.

3. Thridlie, in respect of the sklander be my Ladie Huntlies plaine professioun of papistrie, 3e fall in our name, baith requyre himself that scho vill suffer hir self to be instructit in the trew religioun, and to cum to the opine professioun therof; as also, 3e fall requyr my lord hir husband to daill with hir earnestlie heirannent, that his lordship's hous may be klengeitt of all sklandrus suspicioun of papistrie.

4. Fourtlie, forsameikle as be the following of ewill counfall, dyuers trubbilis hes aryfen in that cuntrei; quhairin the said Erle of Huntlie is in the place of ane shireff and magistrat vnder vs, quhairby he hes maistmister of guid counsell for auancement of our seruice, and keiping of guid ordour in the cuntrei; quhairfoir 3e fall schaw to the said erle that it is our vill to appoynt to him, ane counsell of barronis of the best affectit, and maist zelus in relligioun, with sum godlie ministeris to be adioynit with them, quhois aduyce the said erle fall subget himself, to follow in all vechtie affairis of the cuntrei, and concerning our publick seruice, according to the particular names of the saidis barronis and ministeris, quhairof ve haue gevin 3ou ane feuerall tikett subscriuet with our hand.

5. Fyftlie, for sameikle as our seruice is grytumlie henderit be the deadlie feadis among our subietts, for reconseiling quhairof ve sett downe ane generall ordour, to be followet out in all the pairtis of our realme, quhilk as zit hes tane na effect in the said north pairtis, be reasone of the trubilis, albeit praiset be God with our grypt paines and trauelis, the said ordour hes producit ane reasonable quyetnes, in all the remanent pairtis of our realme. Thairfoir 3e in our name, as hawing our speciall power and commissioun to that effect, fall earnestlie deall to tak vp all the saidis feadis, betwix quhatsumewer our subgetis in the said north pairtis; in the quhilk

commiffione ve haue affociat vith zow, Mr Dawid Cuninghame, Bifchop of Aberdeine, Mr Peiter Blakburne, Mr Robert Howie, Mr Johne Forbes, Mr Johne Strawquhan, Mr George Hay, minifteris, and Mr Daud Reat, principall of the college, quhom ve haue commandit be thir presentis, to affist zow be ther trauelis and mediation in the faid guid vark, for appoynting and reconfeiling of the feadis betuix my Lord Huntlie and my Lord Forbes, the Laird of Drum, and yung Frindrach, and betuix the Erle of Erroll and the Laird of Ludquharne; betuix the Lairdis of Geicht and Benholme; betuix the Lairdis of Clunnie and Korfindaie; betuix the Laird of Boquhen and Villiam Stewart, and fik vther feadis quhairof ze fall refeaue information in the cuntrie. And for the better accomplifing of the premis, ze fall refaue and caws execut letteris, directit be vs and the Lordis of our Secreit Counfall, to chairge all the faidis perfonis to fufcryue affurancis, ilk ane to vther, in the commowne forme, the faidis affurancis to induir and left quhill the first day of Apryll nixt to cum.

CCCLIII.—THE REPORT OF THE MINISTERIS QUHA WER APPOINTIT TO  
INTREIT WITH THE ERLE OF HUNTIE.\*

WE, the minifteris of Angus, Mernis, Aberdene, and Murray, appoyntit commiffioneris be the laft generall affemblie haldin at Perth for tryall of the Erle of Huntlyes obedience to the particular iniunctiouns fet down be the fayd Affemblie, and imponit to his lordfhip, for declaratioun of his repentance for the offences committit be him, as thay ar mentionat in the faydis directiouns, testifie and declair that we haue fund him obedient and willing to fatiffie in all humbill manner to continew and perfeueir in his earneft fuit for reconciliatioun of the kirk, and eftir lang conference and ryip aduyifement to haue consentit to the fulfilling of the faydis hail conditionis, quhairof the particulair anfueris followis.

\* From the Balcarres Papers.

1. The first is obeyit, for his lordship compeirit at Aberdene the xxij of Marche appoyntit, and thair abaid awaiting doctrine and conference to the haill commissiouneris appoyntit were satisfieit with his resolutioun.

2. The brethren appoyntit to deall with him brocht his lordship, eftir reffoning ane conuenient space, to allow all the weritie in the hail groundis of resolutioun affirmatiue resoluit his doutis be the word of God, and mowit his lordship with knowlege to refuis and deteist all heidis of papistrie contrair to the fame.

3. He acknowleges the reformat kirk of Scotland to be the trew kirk; he is content to declair his coniunctioun to the kirk of Scotland, in the worde, sacramentis, and discipline, as they ar authorized be his maiestie and estaitis presentlie in sik manner as the kirk fall think maist expedient.

4. He is reddie to fueir and subscrywe the confessioun of faith in presence of the haill commissiouneris, sa sone as thay fall cum abak with power to pronounce his absolutioun.

5. In significatioun of his obedience to this article, he hes declairit to the haill commissiouneris, that sen he enterit in dealling with the kirk he neur intercommonit, be word or writ, with ony Jesuit preist or excommunicat papist, except sa mony as ar vnder conference with the kirk, and is content to byid therat in all tymes cumming, siclyk he fall baneis out of his cumpanie and haill boundis in the quhilkis nane fall hawe reffait that ar professit enemies to the religioun be his knowlege, and fall giue his writtin band as the article prescrywis, except sa mony excommunicat papistis as the kirk fall guve licence to deall with.

6. He is content now or heirafter to satisfie for his apostasie in the place appoyntit at the discretioun of the saydis commissiouneris.

7. He declairit his wnfeinzeit greiff for committing of the slauchter of the erle of Murray, and will satisfie the pairtie be the fycht of the kingis maiestie, of the kirk, or of godlie and indifferent freindis: will mak offeris to that effect, lyik as he hes gevin ane blank to his maiestie to be filled vp with particulair assythment.

8. He promisis now or heirafter to craue of God mercy for the said slauchter, quhen, quhair, and how, the kirkes commissiouneris foirsaydis fall appoynt.

9. At the desyir of the faydis commiffioneris he presentlie remittis all rancour and malice confaut be him for any occasioun or deid offerit to him be the cuntrey men in the kingis seruice, and promittis vpon his fidelitie newir to quarrell ony for the fame within these boundis, and specialle none of the ministrie, ether north or fouth.

10. He aggreis that thir present commiffioneris, or sa mony of the hail thre prouinces as fall be meitteft for the wark, with the lairdis of Pitlurg, Clunie, \* fall fet downe ane ordour for prouisioun of his kirkis, quhilk he promifes to execute immediatelie eftir his absolucioun.

11. Be the aduyce of the faydis commiffioneris he promittis to tak ane minister, and to entertein him in his awin hause.

12. He confessis that be his publict offences he gawe sufficient matter to the kirk to haue deducit the sentence of excommunicatioun againis him.

[*Indorfed*]

“ Copie of the Articles subfcryveit be  
the Erle of Huntlie, 1596.”

CCCLIV.—LORD BINNING TO THE KING.†

MOST SACRED SOUERANE,

What wes proceeded in the Nationall Counfall kept be your maiesties permission the last oulk in this towne was signified be my letters of the 18, no mater of moment then resting to be concluded, bot the Marqueis of Huntlies absolution, who cumming to this towne vpon Tyfday at night as wes appoynted, yesterday the two Archibischoppis, the Bischop of Brechin, your maiesties deputie thesaurar, the laird of Cors, and I, went to the Marqueis his ludgeing, and eftir two or thrie houres conference, agried vpon the maner of his absolution; and meiting in the afternone in publict assemblie, that mater being proponed and modestlie rea-

\* Sic in MS.

† This letter, and the remaining ones, are from papers relative to Church affairs, MS.

soned be sum of the precifest fort, the Archibifchop of Santandrois replied fo wyfelie, and made fo tymelie vfe of fum claufes of your maiesties letter from Nottinghame, which be gude fortune came to his handis that fame day, that in end the abfolution wes concluded, and the marqueis compeirand, and granting his bypast offence, promeifing constant perfeuerance in the trew religion, which he thair acknowledged, and fubfcryved publiklie the articles thairof, exhibited to him in prefence of all the affembly, he wes abfolued, to the exceiding great joy of all that wer present. This is one of the workis of your maiesties moft excellent wifdome, whairfra all men expect gude helpis, to the peace of the eftate and churche of this kingdome. All your maiesties vther directions, being moft iust, reasonable, and proffitable for the cuntrie, wer allowed with fuch humilitie, haitineffe, thankefgeving and prayer to God for your maiesties preferuation, and long and happie raigne, as your maiesties caire of the vniuerfall good of the kingdome does obleis all faithfull fubiectis fincerelie to wifh. Many haue approuen thamefelues duetiful in this feruice; bot I owe particular testimonie to the Erle of Montrois his affectioun, and to his graue and honorable behauour; and to the Archibifchop of Santandrois his modestie, pacience, wifdome, and trauellis, whairby he fo conteaned the whole number within the boundis of duetie and obedience, as did greatlie facilitat the good fucceffe of the buffines. So, wifhing the lyke in all your maiesties intentions and directions, and that God may be gratiouflic pleased long to bliffe ws with the continuance of your wyfe, iuste and gracious raigne, I rest

Your most sacred Maiesties most humble,  
faithfull, and bund feruand,

Aberdene, 22 Aug. [1616?]

BINNING.



## CCCLV.—LORD BINNING TO THE KING.

MOST SACRED SOUERANE,

I thought no meane so fit to mak your maiesties gude pleasour and expres command to your counfall and principall officers to hald hand to the approbation of the approcheing Generall Assemblie of these articles proponed to your maiestie, being in this cuntrie in churche maters knowne to the counfall as be publict reading of your maiesties letter in counfall, which thay all acknouledged so wyfe and just, as thay with hairtie consent all promiseid to aduance it to thair vttermost, and not onlie to withdraw thair fauour and countenance from any who sould oppose thame felfis, bot also to concur with the prelats in the punishment of such as thay sould find wourthie of censure, which I am perswaded thay will due lie performe.

Vpon the first of this moneth we conuened, to giue beginning to the commiffion for plantation of the churches; bot the most pairt of the commiffionaris being absent, we wer forced to continow the dyet to the seuint, and directed summar chairges of horning agains these who wer absent, and not lawfullie excused; bot thay ar since cum to this towne in sufficient number to keip the day appoynted, and as thay fall proceed, your maiestie fall be aduerteifed.

The commiffionars of the rentis haue had before thame the vnder refauers of the custumes at the feuerall portis of this kingdome, and haue appoynted thame to vplift the custumes to your maiesties vse, intending to mak feuerall takkis thairof, if thay fall heirefter find responfall pairties who will offer profittable condicions for thame to your maiestie; and becaus none can be tryed to mak any gude offer for the impost, thay ar in hope to get thame so exactlie vplifted, as your maiestie fall haue the full commoditie thairof, with lesse losse this year, nor if thay sould haue yeilded to ane tak, with diminution of your maiesties accustomed rental thairof.

The bourrowes have sent their commiffionars to this towne to confult vpon the motion of transport of our natiue commodities in cuntrie bot-tomes, with prohibition to strangers so long as thair is any of oure owne schippis to ferue: thay ar to exhibit thair ouuertures thairanent the next oulk, which fall be sent to your maiestie with diligence.

The Generall Affemblie is proclaimed to be kept at Santandrois the 25 of this moneth, whairin wishing your maiestie contentment, and per-fyte happines in all your vther royall disseins and affaires, I rest

Your most sacred Maiesties most humble,  
faithfull, and bund seruant,

BINNING.

Edinburgh, 7 Nouember [1617?]

To the Kingis most sacred Maiestie.

CCCLVI.—LETTER, LORD BINNING TO THE KING.

MOST SACRED SOUERANE,

My former letters told that the Archibischop of Santandrois, his going to Fyffe, for preparation of the Generall Affemblie, had discontinued oure proceeding in the commiffion for plantation of churches, whill the first of December; beydes the appeirance that the Sessio[n] could be interrupted during the Affemblie, in respect of that number of ordinar sessio[n]ars, which is appoynted to assist your maiesties commiffionar at that meiting.

The counfall, obeying your maiesties direction, wrait fyftene dayes ago to all these of your Counfall or Sessio[n], whom your maiestie ordaned to be at the affemblie; and in particular to the erle of Montrois, designed Commiffionar be your maiestie, to keip the prefixed tyme.

This day my lord Chancelar reffaued ane letter from him, bearing, that, albeit he be moft willing to ferue your maieftie in all that can be inioyned to him, yet his indisposition is fo great as he can not be able to trauell, nor ferue at this tyme in that chaarge; which, being communicat be my lord Chancelar to the Erle of Mar, and fum vthers of your maiefties counsell, we presentlie wrait to him earniftlie defyring that, all excufes fet afyde, he fould accept and difchaarge that commiffion, which your maieftie had trusted to him; and with the lyke diligence, wrait to my lord of Santandrois of the Erle of Montrois his excufe, and of oure defyre to know his opinion, what was fitteft to be done for your maiefties fatiffaction, and performance of your maiefties intentions, whoes fpeidie anfuer we expect; and what fall be refolued and done heirintill fall with all convenient celeritie be fignified to your maieftie. So, prayeing God long to prosper and preferue your maieftie in all wifhed contentment, I reft

Your moft fared Maiefties moft humble, faithfull,  
and bund fubiect and feruant,

BINNING.

Edinburgh, 20 of Nouember, at night, [1617?]

To the Kingis moft fared Maieftie.

CCCLVII.—LETTER, LORD BINNING TO THE KING.

MOST SACRED SOUERANE,

In the affembly now diffolued, nothing wes proponed bot the articles sent be your maieftie. Ane great pairt of the minifters wer fo wilfullie inclyned to haue the haille differred at this tyme, to the effect thay might haue laifer and opportunitie, be reiding the fathers and coun-

fals, to resolute, if with gude conscience, and without scandall of inconstancie to the kirk and thame selfis, thay might yeild to the alterations and nouelties which thay imagined the articles to imply, that it wes verie difficill to my lordis of Santandrois, Glasgo, and remanent bishops, assisted be the wyfist and learnedest of the ministrie and your maiesties commissioners, to induce the disordered multitude and thair leiders, to determine vpon any particular, and so being driven to the extremitie aither to dissolue the assemblie without any maner of progres, and with manifest diffension, or to mak vse of the best expedient the tyme could produce in the determination of sum of the articles, all the best affected to your maiesties seruice thocht it expedient to accept what wisdome and authoritie could gayne at this tyme, and leive the rest vnder hope and promeis of satisfactioun at the next assemblie; and so the article of geuing the communion to the impotent and dangerousslie seik in thair privat houses, and deliuerie of the elements owt of the ministers handis to the people at the publict celebration, being obtained in such maner as the formed articles to be sent to your maiestie, be my lord of Santandrois beares. When the article of the holie dayes wes of new vrged, the desyre of delay wes so vniuersall in that and the rest of the propositions, that the bishops wer forced, for feare of ane direct refusall, to yeild to the continuation, vpon promeis maid be the most part of the pretended precisians, that thay wald vse all possible endeours to prepaire thame selfis, with consent of thair well informed flockis, to giue your maiestie satisfactioun at the nixt assemblie. My lord of Santandrois' feare of your maiesties offence be delay of your so iust and godlie desynes, maid him so passionatlie instant, as he could scaircelie be induced be any perswasion to accept any dowtfull or delatorie ansuer, and moued him to threaten thame with your maiesties resolution to ordane be actis and penall proclamations aganis the contravenars, to haue all these articles vndelayedlie obeyed, schawing to thame how disgracefull it wald be to the Kirk of Scotland, in the iugement of all the reformed churches in Europe, that our ignorant and obstinat refusall of so godlie and lausfull propositions, sould force your maiestie, be your Christian authoritie, to compell thame to do that which thair ducie sould haue moued thame to embrace,

with thankfull acknowledgement of your maiesties caire to haue the abuses of oure church discipline reformed, and rightlie conformed to the vniuersall order of all the rest of the true Christian Churches in Europe; bot the rest thinking the delay, with assured hope of satisfaction, les hurtfull nor ane abrupt and contradictorie dissolution, which we all most humbly wish that your maiestie may graciously allow, since we are confidently perswaded that the next meeting shall giue your maiestie contentment, specially if your maiestie grace the next assemblie with commissioners of greater sufficiency and authority; albeit I may affirme and hope the bishops will testify that these who were at this tyme employed wanted no good will to giue their best concurrence. So, wishing to your maiestie many happy yeeres, that we may enjoy the constant fruites of your most prudent and gracious regne, I rest

Your most sacred Maiesties most humble, faithfull,  
and obedient subiect and seruant,

BINNING.

Santandrois, 28th Nouemb.  
at night [1617?]

CCCLVIII.—LORD BINNING TO THE KING.

MOST SACRED SOUERANE,

This day certification is granted be the counsell aganis the Erle of Argyle, and he ordained to be denounced and reputed as ane traitour for not compeirance.

The commissioners for the burrowes and schipmaisters haue bene before the counsell, and their controuersie, for exportation and importation of merchandice in cuntry bottoms, is to be determined before they go from this towne.

I signified to the counsell your maiesties pleafour anent their repairing to fermon vpon the Soundayes, to your maiesties chapell of Halyrudhows, which they ar willing to do, and wald haue done alreddie, if the Bifchop of Gallowayes heaue feiknes had not hindered him to preache this tyme bygane. He promeifis to aduerteis the counsell when his recouerie fall inable him to preache, and they to refort to it as your maieftie hes commanded.

All other direCTIONS signified be me to the counsell be your maiesties commandement ar obeyed. So, prayeing God to eftablifh the perfyte happines of your faithfull fubiectis heir, be the wifhed lenth and number of your maiesties moft prosperous yeires, in health and contentment, I reft

Your moft facred Maiefties moft humble, faithfull,  
and obleiffed fubiect and feruant,

BINNING.

Edinburgh, 4th Feb. [1618?]

To the Kingis moft facred Maieftie.

CCCLIX.—LORD BINNING TO THE KING.

MOST SACRED SOUERANE,

At oure cumming to this towne, finding that the moft precife and wilfull Puritanes wer chofin commiffionars be manie of the prefbyteries, fpeciallie of Lowthian and Fyfe, I wes extreamlie doubtfull of the fucces of your majesties religious and iuft defires. At the privat meiting of your maiesties commiffionars and the bifchops, my Lord of Santandrois denied not the apparent difficultie, bot declaired that, being hopefull, that the happines which alwayes accompanied the iustice of your royall diffeins

wald not faile in this action, he thocht the victorie wold be more perfyèt, and the obedience more hairtie, when the Puritanes fould fie the articles concluded in the prefence of thair greateft patrons, thair opinions being confuted be liuelie reafons and vndeniable trueth.

The fermon before the Affembly wes maid be the Bifchop of Aberden, who, with great dexteritie, proponed the weght of the pourpofes to be entreated, and the neceffitie of confideration, that the bodie of the Church being affembled be your royall direction for treating of articles proponed be your maieftie, firft to ane number of the principall minifters at Santandrois, and thairefter in the Affembly at Santandrois, your maieftie had confaued great offence for the delays then vfed; and being perfuaded in your excellent wifdome and confcience, that the articles wer juft and godlie, and onlie fchifted becaus thay wer proponed be your maieftie, be fuch as had gloried to be oppofite to your facred defires, it wes to be feared, if, at this tyme, your maieftie fould not refflaue fatiffaction, your wraith might be fo kindled, as the Church, loufing your wounted fatherlie fauour, thay might feill the heaue preiudice of that confequence. And thairfore exhorted thame, in humilitie, zeale, and Chriftian loue, to difpofe thamefelues to proceid wifelie, and with all due refpect to your maieftie.

At the meiting of the Affembly, the Archibifhop of Santandrois made the exhortation, and be ane moft godlie and wife discours, remembred the auditouris of your maiefties infinit benefites to the Church, your wifdome in thair direction for the keeping of puritie, and fuppreffing poperie; your patrocinie of the good, mercie to offenders of thair profeffion, caire for prouifion of mentenance to pafours, and learning and zeale in defence of the true Religion be your moft famous workes publifhed aganis the aduerfars, which had incensed the Papifts to think your maieftie the onlie lat of thair prevailing; and for that onlie querrel, to feik, by treacherous meanes, the trouble of your eftate, and deftruction of your facred perfon: and the true profeffours throw all Europe to honour your maieftie as the proteétour of all the Reformed Churches, and to acknowledge your maieftie the vmpire, and moft competent and beft qualified juge of all controuerfies arrifing amongis thame. Exhorting,

thairfore, eurie one to consider and acknowledge how justlie thay wer bund to expresse thair loyall respect and true obedience to your maiestie, by yeilding to your laifull desires in the articles proponed.

The exhortation ended, he called the commissiouners, and nominated these for the conference. Sum proponed that ane moderator might be chosin, whom he silenced, becaus he wald not suffer the privilege of his place to be questioned: And thairefter rehearsing what had been done in the Assemblie at Santandrois, and wittellie taking it *pro confesso* that all the articles wer in substance allowed thair, except that of kneeling at the communion, proponed that to be disputed. Great instance wes maid, that, the mater being of so heigh consequence, might be entreated in the publick Assemblie, bot the contrare wes ordaned. Difficultie wes maid anent the conception of the wourds of the question, and the opposites vrged that reasons might be geuin why the article wes necessar. It wes answered and concluded, that the articles cumming from your maiestie sould be allowed, vnles thay could proue it wer vnlaifull. So Maister William Scot of Couper, being commanded to speak, opponed aganis the article with modestie, and protestation that he wold be vnwilling to adduce reasons to impugne ane proposition cumming from your maiestie; and thairefter, proceeding to his arguments, wes secunded be Maister John Carmichell, with more vehemencie and wilfulness. They alledged that the ordour presentlie obserued in this cuntrie being agreable to the wourd, and Chrystes institution, and thay sworne at thair admission to the ministrie to obserue the true religion and discipline reffaued in this Church, thay could not with saif conscience alter it: which being censured, thay came to the substance of the question, anent the maner of reffauing, and spent the rest of that day, and ane part of the nixt, in disputation vpon that subiect. Nothing being omitted be the aduersars, which thair owne inuentions, or the writings of these who allow thair opinion, could suggest; which being wisellie and learnedlie refuted be my Lord of Glasgo, whom Doctour Lindfay of Dundie, and Doctour Philp of Arbroth, Doctour Bruce, and sum vthers of the best and most learned, did assist, with manie evident and pithie reasons, the article wes ordaned to be voted in the conference, and in end allowed be so great oddis of voices, as



gaue wonderfull contentment to all the well affected; yet the number of the vulgar minifters having vote in the publick Affemblie being verie great, oure dowl refted what the euent might be, of that which depended vpon the opinions of ane multitude of ignorant or preoccupied people. For remeid whairof, my Lord of Santandrois, who, in direction, difputation, and all vther circumftances of this action, expreffed great wifdome, learning, and autoritie, well befeiming his place, delayed the voting the fecund day, that he and his brethren might haue fum tyme to difpofe thingis to ane wifhed end.

This day the bifhop of Galloway maid ane verie pertinent fermon, to perfuade the brethren to peace and edification. Thairefter, the Affemblie convening, new difturbances wer caffin in to reinuerfe all that wes done in the conference, and bring it of new to difputation, fo as my lord of Santandrois wes forced to permit all the articles to be of new reasoned; and if he had not be very graue autoritie reduced thair difcourfes to fuccinct and formell reasoning, it had bene impoffible to bring maters to any conclufion. Sum oppofitions maid yifterday wer this day repeated, and litle of any fubftance added be fuch as wer not of the conference, all which wes judicioufflie and perfpicuoufflie refuted be my lords of Santandrois and Glaſgo, and doctours Lindsay and Philp, whoes faithfull and proffitable endeouours merites your maiefties gracious remembrance.

If complaint be maid be maifter John Carmichell, that I wold not fuffer him to enlairege his difcours of the ancient controuerfie, betwix the eaſterne and weſterne church, anent the precife day of Chryſtes birth, I muſt haue recours to your maiefties mercie.

In end, my lord of Santandrois, cutting ſchort thair affectat ſchiftis, whairby thay intended either to difapoint the mater, or to perfuade the Affemblie to remit it to ane vther meiting, he ordaned this propoſition onlie to be voted, whether the Affemblie wald obey your maieſtie, in admitting the articles proponed be your maieſtie, or refuſe thame. Sum inſiſted to haue thame ſeuerallie voted, bot both he and the deane of Wincheſter (whoſe diligence, diſcretion, counſall, and gude aſſiſtance in this ſeruice, hes bene faithfull and verie commendable) declaired that your maieſtie wald reſſaue none, if all wer not granted; and ſo being put to

voting in these termes, fourefcoir and sex allowed the articles, fourtie and one refused thame, and three wer *non liquet*.

My Lord of Scone *antiquum obtinet*, and will neuer *aberrare a via regia*. My Lord Carnegie, the thesaurar depute, aduocat, Kilfyth, and Sir Andro Car, have done that faithfull dewtie which became thame.

The Erle of Louthian, the Lords Sanquhar, Vchiltrie, and Boyd, did lykwayes attend, with ane gude number of honorable and well affected barons; bot the prayse of the succes being onlie due to the wisdome of your maiesties directions, the wourthiest instruments have bene the two archibischops and the bischops of Galloway and Aberdene, and remanent of thair estate, of whom none wer negligent or remisse, bot professedlie resoluèd in the aduancement of the action. Many ministers kythed verie dewtifull both in reasoning and voting; but all these particulars I must remit to the deane of Winchester's relation; onlie assuring your maiestie, that albeit the contention was vehement, both in the conference and publict assemblie, yet efter thay wer voted, thair appeired great contentment in many gude mens faces, for the happie and peaceable approbation of your maiesties articles. If your continuall caire of the good of this cuntre and churche moue your royall mynd to intend heirefter any church maters of such consequence, I beseech your maiestie, for the good of your owne seruice, to employ ane more fit commissioner in my place, who am als vnkilfull in thir subiectis as I am vngratious to the opposites. So, thanking God for the blissed end of thir affaires, and praying him that your maiestie may long liue and happelie preuaile in all your royall interpryses, I rest

Your Maiesties most humble, faithfull,  
and bund seruant,

BINNING.

Santiohnston, the 27th of August,  
at night, 1618.

To the Kingis most sacred Maiestie.

## CCCLX.—LORD BINNING TO THE KING.

MOST SACRED SOUERANE,

Your maiesties counsell in Scotland hes exped and fent hether the commiffion for treating with thefe of the Lowe Cuntries, anent the fifchingis, together with information of the iniurie and preiudice fuf-teaned be the whole kingdome, be the encrease of their daylie vfurpation in your maiesties feas, and of manie wrongis done vpon land in Orkney and Zetland to diuers your maiesties fubieets; bot becaus the complaints ar generall, I haue writtin to caufe fpecifie the particulars, and the meanes of probation of the fame.

The note of the counfels proceedings fent heirwith will teftifie to your maiestie their exact diligence in all that does concerne this treatie, and in the execution of your royall commandements aganis the erle of Argyle. The Vicount Fentoun will mak knowne to your maiestie the eftate of his efcheat and lyfrent, which is in his brothers perfon.

Nôw, fince the prefence of the commiffionars for the Lowe Cuntries is liklie to giue beginning to the treatie, I moft humblie befeik your maiestie to let the commiffioners for oure cuntrie know the groundis which your maiestie will command ws to keip, and the poyntis we may vrge, which we fall ftryue to obferue with all fidelitie and caire. The Marquis of Hamilton, whom your maiestie hes appoynted to be of that number, being particularlie informed be your maiestie of your pleafour in the premiffis, will be witnes of oure endeouours in the profecution thair of. So, wifhing that God may continow his grace and fauour in this and all your maiesties affaires, and prorogat your health, lyfe, and contentment manie happie yeiris, I reft

Your moft facred Maiesties moft humble and  
faithfull fubieet and feruant,

BINNING.

[*Postscript.*]

Please your maiestie, when I was closing this letter, I receiued from the Archibisshop of Santandrois ane letter aduerteising that, vpon information of sum disobediencie liklie to kythe in sum ministers aganis the actis of the last Assembly, he had trysted the bischoppis to meit him at Edinburgh, whair they have ordaned the copies of the last actis to be sent to the presbiteries, with expresse command to them to obey them.

They earnestlie desire that your maiestie may be pleased to send expresse command by letter to Mr Alex<sup>r</sup> Gibson not to giue owt letters to any minister vpon the late modifications appoynted be the Commissioners of parlement, vnles the ministers produce their Bischops testimoniall of their conformitie to the actis of the late Assembly, which direction requyres great haist.

Whythall, 28 Nouember, [1618?]

To the Kingis most Sacred Maiestie.

CCCLXI.—LORD BINNING TO THE KING.

MOST SACRED SOUERANE,

I know your maiestie will expect from me true and timelie relation of the obseruation of Easter day in this towne. The accompt of the performance of your maiesties directions, conteaned in my last, sent to James Douglas, to be schowne to your maiestie, told, that the priue counfallours absent, whoes dwellingis wer neir this towne, wer, be my lord Chancelars letters, desired to cum and accompanie the nomber present, who wer to communicat heir according to your maiesties commandement. The Erles of Mar, Winton, Louthian, Lordis Fleiming and Bukcleuch,

came ; the rest wrait thair true excuses of aige or feiknes. Vpon Setter-day, I desired the lordis of session to convene vpon Easter day at my lord Chancelars ludgeing, that all the nomber might accompanie his lordship to church. The lyke wairning was sent to the privie Counsellours being in towne, who did as they wer desired. Maister Andro Ramsay made the sermon of preparation, and vsed verie good reasons to persuade the people that, with safe conscience, they might, and in Christian duetie they wer bund, to obey that which was ordaned be the Assemblie, and commanded be your maiestie ; he having done the same vpon Good Fry-day. Maister Patrik Galloway preached vpon Easter day, who omitted no good meanes to instruct the people of the lawfulness of the ordour prescryved, and necessitie of their obedience and conformitie ; and thairefter going to the celebration, the nobilmen, counsellours, and sessioners, going to the first table, all vpon their knees, maisters Galloway and Ramsay did first receive kneeling, and thairefter ministred to the honorable persons being at table, geuing the bread and wyne to euerie one with their owne handis, with the recommendation and substance of the holie sacrament, so zealouslie as moued the people to receiue with great humilitie and deuotion ; whoes exemple wes so uniformellie followed be the whole congregation present, that neither man nor woman, during the space of almost foure houris, offered to receiue sitting vpon the fumes, except one onelie baffe fellow ; and I am perswaded that all that did fie that holie action, or participat of it, depairted so well edified that, in their conscience, they regrait that this godlie and deuote order wes not soner instituted, and that in all their lyfe, they will neuer willinglie receiue in any other maner. Sum who wer in the Colledge Church haue told me, that the lyke order wes obserued their be maister Williame Struthers and maister Thomas Sydserf, with the lyke conformitie and contentment. It is true that many of the citizens of this towne, speciallie of the women, wer absent at other churches, bot the magistrats present gaue verie good exemple to the rest. This good and peaceable beginning persuadis wyse men, that it will not be in the power of sum obstinat puritanes any longer to diuert any good Christians from embraceing this godlie and reuerend institution. Of thir maters, and of the behauour of

the people in the rest of the cuntrie, your maiestie will heare farder from the Bischops, who ar attending their chairges in their feuerall diocefes ; and if the ministers do their dueties, according to the good exemple begun in Edinburgh, I hope your maiestie fall haue no necessitie to vse authoritie or rigour, bot that God, who hes blessed all your maiesties godlie resolutions and iust commandements, fall bring this holie dissein to ane peaceable and wished perfection, and continow to ws the blessingis which, be your maiesties wyse and religious gouernement, we haue enioyed, in more accomplished and constant measure, nor any nation on earth, so long as He fall preferue your maiesties health and lyfe, which I earnestlie pray may be to the longest periode granted to any mortall man, as

Your Maiesties most faithfull, obedient,  
and bund seruant and subiect,

BINNING.

Edinburgh, 29 Merche, [1617?]

To the Kingis most sacred Maiestie.

CCCLXII.—LORD BINNING TO THE KING.

MOST SACRED SOUERANE,

I yesternight, late, receiued ane letter from the Archibischop of Santandrois, signifieing that he had before writtin to the Deane of Winchester, to informe your maiestie of his opinion anent the sermons to be made at this approching Christmas, in the churches of Edinburgh ; and that knowing sensyne that the deane wes not at court, and so fearing that your maiestie fould not in dew tyme be aduerteised of his humble opinion, he hes willed me to signifie to your maiestie that the ministrie of Edin-

burgh wer earnist with him to preache that day in Edinburgh, which he had refused, and had willed them to preache in all the churches of the towne that day, knowing manie of the cuntrie to depend vpon their example: And thairfore, if your maiestie intend that course, he earnistlie desires your maiestie to send letters to them, with all goodlie diligence, declairing to them your exprefs pleasour thairanent.

He wrytis that thofe minifters still insist with him to fill the place for this tyme, and that Maister Patrick Galloway, whom he findis best mynded, promifes that from that tyme furth they will tak ordour to obey the actis; and if your maiestie think good that he grant their desire, vpon your maiesties speedie aduerteifment, he shall returne to Edinburgh, and giue the people the best satisfaction he can that day, becaus he wishes all thingis to be done calmelie, forefeing that if they faile to keip the day by their sermons on it, others will be the more animated to disobey; and thairfore thinkis, if his supplieing the place at this tyme, may induce them heirefter to conformitie, it shall not be the worst course, bot that he hes not yeilded to them as yet, fufpending his resolution till he know your maiesties determination, being reddie to do that office, if so your maiestie allow: And if your maiestie will have the minifters themselfis to preache, he thinkis it expedient that your maiestie signifie your pleasour be your owne letter as from your self, declairing that your maiestie will not be content to haue one church serued, except they be all; and if your maiestie allow him to put af this tyme, vpon the hopes they giue him of future conformitie, he shall willinglie do it; humblie craiving that your maiesties pleasour may be speidilie signified. So, praying God to blisse your maiestie with long lyfe, health, and all wished prosperities, I rest

Your Maiesties most humble, faithful, and obedient  
subiect and seruant,

BINNING.

Whythall, 8th Dec. [1618?]

To the Kingis most sacred Maiestie.

## CCCLXIII.—LORD BINNING TO THE KING.

MOST SACRED SOUERANE,

I haue, according to your maiesties direction, tryed the behaiour of the magistrates of Edinburgh at Christmas last; and learned that the prouest, bailies, and counsell, convoyed my lord chancelar to the Hie Church, and wer all present at sermon, so as thair wes no default for want of their good exemple.

The Archibishop of Santandrois assures me that he hes written to your maiestie of all that he hes tryed concerning the dewtie or vndewtifulnes of ministers and others, anent the obseruation or violation of that holie day, and hes confirmed the trueth of all that I spak to your maiestie of Maister Patrik Galloway and Maister William Struthers faithfull and frank proceeding at that tyme.

Of your maiesties directions concerning the Erle of Argyle, and other particulars, I fall giue accompt efter the nixt counsell day.

Maister Thomas Knox, sone to the Bifchop of the Iles, is to informe your maiestie of the present estate of the Iles, whairby your maiestie will, in your most excellent wisdome, judge what to direct for the perfyte settling of order and obedience in those barbarous pairtis. I haue knowne his father and himself so faithfull in your maiesties seruice, as I am confident your maiestie may beleue the trueth of his report and sinceritie of his good intentions. So, hairtelie beseeching God to blisse your maiestie with long lyfe, perfyte health, and constant prosperitie, I rest

Your most sacred Maiesties most humble, faithfull,  
and obedient subiect and seruant,

BINNING.

Edinburgh, penult of Januar, 1619.

To the Kingis most sacred Maiestie.



## CCCLXIV.—EARL OF MELROS TO THE KING.

MOST SACRED SOUERANE,

The necessitie of my obedience to your royall commandement forces me to giue your maiestie an accompt of the order obserued in this towne at Easter, not so gracious as I wished. The minifters haue all done there dutie. Maister Andro Ramsay preached vpon Good Fryday, vpon the first Epistle of Saint Peter, 2 chept. 24 verse. Maister John Guthrie, on Setterday, vpon the sixt verse of the 26 psalme, and Maister Patrik Galloway, vpon Easter, his text being the 23, 24, 25, and 26 verses of the 11 chep. of the first to the Corinthians; all of them verie worthelie, according to the time and holie subiects wherof they had to entreat. The number of communicants wes small; no strangers, few of the townes people of good fort. The greateft part receiued kneeling, following the exemple giuen by the minifters, and by your maiesties thesaurar deput, aduocat, and me. Maister Patrik discretlie moued some to kneel who offered to haue done otherwayes, but findrie of the bafe fort, and some wemen, not of the best, did fit. In the Colledge Church I heare by them whom I caused attend, that the number of communicants far exceiding that of the Hie Church, verie few of them kneeled. Maister William Struthers, who preached vpon Easter day, vpon the 25 verse of the 11 chept. of the first to the Corinthians, and Mr John Maxwell, who assisted him in the celebration, receiued vpon there knees, but verie few did imitate them.

It is neither the bishops nor the most part of the minifters' fault that better obedience is not giuen, bot we haue a number of ignorant and peruerse people, who *in vetitum nituntur*; and if withoutt offense I may speake, I beleue that time and conuenience fall preuaile more to reduce them to conformitie nor suddane or vehement instance, the multitude of the auerfe appearing to require *ut quod a multis peccatur impune paullisper fit*, least the scandall and difficultie of the remede should be more hurt-

full nor the toleration for a short space ; the trouble of a rascallie multitude for a subiect which is pretexted with conscience, not seeming seasonable, which I humbly submit to your maiesties most excellent wisdom : And, begging pardon for my presumption, I beseech God long to saue and prosper your maiestie with health and perfite contentment, I rest

Your sacred Maiesties most oblised, humble, and  
obedient subiect and seruant,

MELROS.

Edinburgh, 16th April.

To the Kingis most sacred Maiestie.

CCCLXV.—EARL OF MELROS TO THE KING.

MOST SACRED SOUERANE,

My knowledge of your maiesties desire to vnderstand the order obserued in the church of Edinburgh thir holie dayes, giues me hope of pardon for troubling your maiestie with this accompt. Vpon Good Fryday, Doctor Forbes hauing chosen for text the 24 verse of the 2 ch. of the first epistle of Sant Peter, first proponed the louable custume of the primitiue Church to obserue holerie that day; and thereafter discoursed verie zealouslie and learnedlie vpon the passion of our Sauour, and frutes therof. The next day, Maister Andro Ramsay, who made the sermon of preparation, took the parable of inuitation to the mariage, and punishment of him who came without his wedding garment, mentioned in the 22 of Sant Mathewe's gospell, for his text; which he expounded orderlie, efter his learned maner. Vpon Easter day, Maister Patrik Galloway preached vpon the 23 and following verses of the 11 chap. of the first

to the Corinthians, and thereafter proceeded to the ministrations of the holie communion, assisted by Maister Andro Ramsay; who performed their charge verie religiouse, and with such obedience and deuote conformitie of the people, as there was not any of the whole communicants that I could see or heare to haue receiued the holie sacrament fitting, except two women, and ane base man, more worthie to be declared idiot nor to haue been admitted to the holie table. I heare that Maister William Struthers and Doctour Forbes, who serued in the Colledge Church, performed also their duties faithfullie; and albeit the whole counsell and members of Session be at vacance in the cuntrie, so that of that number none were present except your maiesties aduocat, my self, and some of my sones, and scarce any one gentleman; yet the order of the seruice being more exact and perfite nor in preceeding times, the ministers are forced to take two Sondays more for seruing the whole congregations. So, beseeching God to grant your maiestie most perfite and constant happines, I rest

Your most sacred Maiesties most humble and  
faithfull subiect and seruant,

MELROS.

Edinburgh, 22 April.

To the Kings most sacred Maiestie.

CCCLXVI.—THE PRIVY COUNCIL TO THE KING.

MOST SACRED SOUERAIGNE,

Vpon the knowlege of that lettre send be your maiestie to youre chancellour, and of your maiesties earnest desyre to be treulie and tymoullie informed of the circumstanceis of that proude contempt and presumptioun of some of the people of Edinburgh to censure thair ministeris doctrine; we conuenit and mett this day, send for all the

perfonis exprest in youre maiesties letter, and spent the whole day in examination of thame: And first, wee began with Williame Rig, baillie, and his compliceis, who wer gevin vp to be vrgearis of this censure; and having endit with thame, wee then called vpoun the Prouest, Baillies, Deane of Gild, and Thesaurair, whose whole depositionis, after the most strict maner that wee could tak the same, wee haif heirwith send vp to your maiestie. And tuitcheing our opinioun and censure of this præsumptioun and contempt, wee think the same in generall to be ane offence of bad example, carying with it verie probable appeirances of mutinye and thifme, and thairfoir woorthie of rigorous punishement, by confyneing or fyneing, according to the qualitie of the perfonis, and nature of the offence, quhilk, as wee conceaue, hes three brancheis: First, the publict impugning of Doctor Forbes doctrine be Johne Dickson, who, with grite humilitie and repentance, acknowledgeis his ouersight; protesting, gif he had thocht that it wald haif gevin the least mater of offence, that he wald neuer haif oppynit his mouthe thairin, and promising to be more respectiue of his behaviour in materis of that kynd in all tyme heirefter: Secundlie, the standing to and susteaneing of this point be Williame Rig and Johne Hammiltoun: Thridlie, the vrgeing of the ministeris to celebrate the commynioun against the receaued ordouris of the Church, and publict lawes of the kingdome, be the said Williame Rig and John Meyne: And, last, Williame Symfoun his refusall to serue the tables at the communioun, in respect of the receaued ordour of celebratioun thair of, and his challenging of Mr Patrik Galloway for not attending of the fessioun. All whilkis, in oure opinioun, ar punishable in the awne kynd; bot becaus the not knowing of the qualitie of the perfonis may mak some mistakeing in the ordour of punishement, wee haif prefoomed, for your maiesties better cleiring in this point, to acquainte your maiestie, that Johne Meyne and Williame Symfoun ar bot poore men; the first having the burding of a numerous familie, and the other leiving by his credite in venting of wyne: the other twa ar in some better estaite, bot men of no grite wealthe, and Williame Rig is ane wealthie man. After that wee had endit with thame, wee called for the ministeris, and earnestlie delt with thame to acquaint ws with thair greeves, that accord-

inglie wee might tak ordour for repairing of the same. Thay wer sparing to come to particularis, bot in the generall, thay exprest als grite caus of greiffe and havynes, as euer pastoris had of thair flocke, quhilk, as thay affirmed, thay euer concealed and boore vp till this laite contempt and indignitie enforced thame now against thair hairtis, after long patience, to reveill the same. Wee haif assured thame of all the fauour and concurrence to procure respect to thair personis, and obedience to thair ministerie, that our placeis will allow; and wee haif gevin ordour and directioun to the Magistratis of Edinburgh to doe the lyke. This being the effect of our proceedingis in this buffynes, wee humbly present the same to your maiesties princelie consideratioun, and what your maiestie shalbe forder pleased to command thairin shalbe accordingly obeyed. And so, with our humble and earnest prayeris vnto God for your maiesties long and happie reign, wee rest for euer

Your Maiesties most humble and obedyent  
subiectis and seruitouris,

GEORGE HAY.  
A. MAR.  
SANCTANDREWS.

AD. B. OF DUNBLANE.  
MELROS.  
W. OLIPHANT.

Halyrudehouse, the last of  
Aprile, 1624.

To the King his most sacred and  
excellent Maiestie.

CCCLXVII.—EXAMINATIONS BEFORE THE LORDS OF PRIVY COUNCIL  
RELATIVE TO WILLIAM RIG, &c.

At Haliruidhous, the last day of Aprile, 1624: In presence of the  
Lordis Chancellair and Thesaurair, the Archibishop of St  
Androis, the Earle of Melros, the Bishop of Dunblane, and  
Sir Williame Oliphant, Aduocat.

WILLIAME RIG, Baillie of Edinburgh, examined and demandit, yf he wes present at the meiting of the nightbouris of the toune in the Litle Kirk, vpoun Twisday after Easter last, deponis, he wes present at that meeting.

Demandit, yf, by reasoning or discourfe, he sustenit that the doctrine of the pastouris of the said burgh might be censurit in that meeting, deponis, that Johnne Diksoun haueing regraitit to the meeting ane scruple and doubt that he had apprehendit vpoun occasioun of some speecheis vtterit be Mr Williame Forbes publictly in a fermone maid be him, saying, that the materis contrauertit betuix the Romane Church and ws might be easilie reconfild: and Mr Williame Strutheris, moderatour of the meeting, haueing answerit, that the doctrine of the pastouris wes not to be censured be that meeting, the deponner mantennit the contrair opinioun, saying, that no tryall nor censure could seclude the sessioun of the kirk from thair tryall and censure; alledgeing some passageis of scriptour for his warrand, especialie oute of St Johnne, quhair it is writtin, Try the spirittis yf thay be of God or not: And grantis that he sayd the iudgement of discretioun belonged till all men.

Demandit, yf he defyrit the ministeris to gif the commvnioun after the auld maner, grantis the same.

JOHNNE DIKSOUN, flesheour, demandit, yf he wes present at the meeting foirsaid, grantis the same, it being ane vsuall custome in the kirk to keepe the said meeting, and quhairof intimatioun is yeirly maid be the ministeris vpoun the Sondag preceding to the people to keepe the same.

Demandit, yf at the meeting he vtterit ony speecheis concerning Mr Williame Forbes or his doctrine, deponis, that the clerk of the sessioun, haueing desirrit the people conuenit to declair quhat thay had to say aganis thair ministeris, towcheing thair lyffe and doctrine, and this deponner haueing hard Mr Williame Forbes, in a fermone maid be him in the Little Kirk, mantene that thair wes findrie contrauertit headis betuix the Romane Church and ws that might be reconfild and aggreit; and this haueing bred some scruple and doubt in the deponaris hairt and conscience, he thairupoun tooke occasioun simplie, without choller or spleene, to regrait the same, saying, that he had hard some of our ministeris of auld declair

in thair fermonis, and teatche to thair flocke, that light was no more contrair to darknes, nor Christ to Belial, nor we and the Romane Church ar, in pointis of faith and doctrine. And deponis, that he is forie from his hairt that he fould haif challengeit his pastour in publiēt vpoun thai pointis, and yf he had thocht that offens wald haif bene tane at it, he wald neuer haif done it.

Denyis that he desirrit the ministeris to gif the commvnion in the auld maner.

JOHNNE HAMILTOUN, apotecour, demandit, yf he wes present at the meeting fairfaid, and quhat wes his behaiour thair, deponis, he wes present at the said meeting, whilk meeting is a ordinair custome in our Church vpoun the Twisday afor the celebratioun of the commvnion; and the deponner haueing hard Johnne Diksoun impugne some pointis of doctrine vtterit be Mr Williame Forbes, anent the materis contrauerted betuix ws and the Romane Church, quhairin, as the deponner thocht, the meeting gatt not satisfactioun, he said and proponned this questioun, that yf he wer to minister phisick, his patient had resoun to trye yf the phisick wer goode and holesome, seing it importit the weele of the body; so, we had mutche more reasoun to trie the phisick of the faull, whilk is the sweete milk of the worde: and deponis, that he spak this onlie vpoun occasioun of Johnne Diksonis speecheis, and no other-ways; and denyis that he spak ony thing concerning the commvnion.

JOHNNE MEINE, marcheant, examined, grantis that he wes present at the meeting fairfaid, and that he desirrit Mr Williame Strutheris to minister the commvnion in the auld maner; and grantis that quhen the people wer regraiting the point of doctrine fairfaid, vtterit be Mr Williame Forbes, the deponner, persaving Mr Andro Ramsay to laugh, he said vnto him, Weele, Sir, are yow laugheing at the regraitis of the people, yow will ansuer to God for it. And he medlit no farder in these materis.

WILLIAME SIMSOUN, mercheant, examined, grantis he wes present at the meeting fairfaid, bot spak no thing concerning the commvnion, nor Mr Williame Forbes: grantis that he wes one of the fessioun; regraitit that Mr Patrick Galloway attended not the fessioun, nowther vpoun the Sunday nor oulk day; and grantis that he being desirrit, as one of the

fessioun, to serue the table the tyme of the celebratioun of the commvnioun, he refuised to do the same.

ALEXANDER CLERK, prouest of Edinburgh, demandit, quhat past betwix him and the nightbouris of the toun at the meeting foirsaid, deponis, that the clerk of the fessioun haueing, conforme to the ordour, askit of the people, yf thay had ony thing to obiekt aganis thair ministeris, concerning thair lyffe and conuersatioun, Johnne Diksoun, flesheour, raise vp, and with verie grite modestie desirrit to be heard; whilk being grantit vnto him, he said, that he hard Mr Williame Forbes delyuer some doctrine in a sermone towcheing the contrauertit pointis betwix ws and the papistis, whilk wes contrare to the doctrine formarie taught vnto him: and he, desiring that his doubtis and scruple anent that point might be cleirit, the deponner refuist to suffer ony medling to be thairin, saying and mantening, that that place and meeting wer not judgeis of thair pastouris doctrine, and that modestie and requirit that the said Johnne sould haif gone to his pastour and oppynnit vp his grief vnto him, fra whom he wald haif gottin resolutioun and satisfactioun anent his doubt; and so, commanding Johnne silence, he acquiesceit and spak no forder. And some twa or three otheris preassing to vrge this mater of new, and that thair greivis in this point might be related to the rest of the ministerie, and Mr Williame challenged thairupoun, the deponner refuist the same, imposing silence vnto thame, and sharplie reprooueing thame for thair presumptioun in thair publick challenge of thair minister, of whome, in dewtie, thay sould haif craued resolutioun of thair doubtis secreitlie betwix thame selffis. Deponis, That quhen the assemblie was rissin, and all vpoun thair feite, one, whome the deponner saw not, bot hard his voice, cryed out, desiring the deponner to caus the ministeris gif the commvnioun in the auld maner.

The other three Baillies, withe Deane of Gild and Thesaurair, adhere to this depositioun, and wer conforme thairto.



## CCCLXVIII.—LORDS OF THE PRIVY COUNCIL TO THE KING.

MOST SACRED SOUERANE,

Wee reffaut your maiesties lettre of the xxi of Maij, by the whiche your maiestie hes sett down the forme of punishment, whilk your maiestie will haif to be inflictit vpoun these of the burgh of Edinburgh, who so præsumptuouslie censurit thair pastouris preatcheing vpoun Twyifday afoir Easter last : and, for obedience thair of, haueing convenit and feriouslie aduifit vpoun the best meanes of proceeding in the buffynes, finding it expedient to call the offendouris befor the counsaill, that thair offence might be knawne to all the number, and that the sentence might be pronounceit ordourlie agains thame, for closing of the mouthis of the common multitude, who ar euer readdie, vpoun the least occasioun, to misconstrue all laughfull proceedingis, and wald not haif failed to haif furnished agains this, as being caryed by a few number of selectit personis, whome thay accompt partiall, becaus wee ar readdie, according to our bundin dewtie, to obey and execute your maiesties laughfull commandementis ; for this effect, wee caufit warne thame befor the counsaill to this present day. Lyke as thay compeirit, and with the proueft, baillies, and whole ministeris, who in ane voice declairit that Williame Rig wes come to ane grite acknowledgement of his formair misbehaviour, and oute of a single and humble hairt, had gevin satisfactioun and contentment to the ministerie in all these materis whilkis bred the scruple and offence amongis thame ; and that he had promiseit, by a respectiue and dewtifull behaviour, in tyme comeing, not onlie to eshew all occasionis of new offence and scandall, bot by his goode cariage to give example of the lyke to otheris ; and the ministeris ar in opinioun of his future conformitie to all goode ordour. And whereas thay seeke nothing bot ane peaceble ministerie, and to live in that vnitie and love with thair flocke that becometh, thairfor, thay humblie intreated ws for a mitigatioun of the sentence on the pairt

of the said Williame, whilk thay thocht wald produce better effectis nor ony rigour that could be vsed agains him : And besydis this thair declaratioun and intreatie, Williame Rig gaif in a verie humble petitioun himself vnder his hand, quhairby he cleirit himself of some pointis wherein he wes mistaken in his formair depositioun, as, namelie, that point anent the power of the sessioun to censure thair ministeris, and to excommunicat ; wherein he affirmis, that he onlie meaned of the ministeris, with the eldairis and deaconis of whome the sessioun is composed, and no otherwayes, and that he detestes all opinionis of populair power ouer the ministerie, as smelling of that odious opinioun of the Browneistis, quhairof he protestis he is free, and disclames the same as being impious befor God, scandalous in a Reformed Church, and repugnant to all goode ordour : And twitcheing that point of his confessioun, where he grantit that he desyrit the m'nisteris to celebrate the commvnioun after the auld manner, he protestis solemnlie that he never motioned ony fuche mater at the meeting foirsaid ; bot being demandit vpoun that point, and sua surprysed vpoun a suddane, and not fully resolued thairanent, he made choise rather to confes, then by ane vnaduist denyall to be broght bak with a lie, whairanent he offerit to submitt himselff to the declaratioun of the prouest and baillies ; who, with some otheris vn suspect personis who wer present at the meeting foirsaid, being demandit vpoun this point, thay all declairit, vpoun thair grite oathes, that thair wes no fuche mater moved nor spoken be the said Williame at that tyme. This petitioun, with the humble and earnest requeist of the prouest, baillies, and ministeris, being hard and throughlie confiderit at the Counsaill table, and it being verie weele knowne to the whole nomber, that your maiestie, oute of your most religious dispositioun towardis the propagatioun and advancement of religioun, doe feik nothing in all this buffynes bot obedience to the ordouris and discipline of the kirke ; thay thairfoir inclynit to satisfie the magistratis and ministeris in this poynt ; and hes confyned the said Williame in his awne house, till your maiesties forder pleasoure be knowne, and the rest ar directit to the appointit placeis of thair imprisonment and confyneing, except Symfoun, who, in respect of his pouirtie, notour vnto ws, is maid prissonner in the tolbuthe of Edinburgh ; and thay ar all to keepe thair

wardis till your maiesties forder pleafoure be decernit agains thame. Wee haif onlie gone this far for the present, as a beginning of thair punifhement, and shall hold the rest ouer thair heades till wee fee vnto what conformitie this pairt of the punifhement drawis thame : and quhen your maiestie falbe pleased to command forder heirin, vpoun the significatioun of your royall will to the whole Counsaill, it falbe obeyit. And so, remembring our humble and earnest prayeris vnto God for your maiesties lang and happie reign, wee rest

Your Maiesties most humble and obedient  
subiectis and seruitouris,

GEORGE HAY.  
A. MAR.  
MELROS.

W. OLIPHANT.  
AD. B. OF DUNBLANE.

Halyruidhoufe, the tent of Junij, 1624.

To the King his most sacred and excellent Maiestie.



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brate communion against received orders of the church, 640; a wealthy man, *ib.*; examination before Privy Council as to, 641, 642, 643, 644; penitent for his conduct, 645; petitions Privy Council, 646; declares he detests all opinions of popular power over ministers, *ib.*; confined to his own house, *ib.*

Rollock, Hercules, pens the King's articles, 614.

## S.

SAINT ANDREWS, warrant to be granted for the books of the presbyteries and session of, 611; Clerk of the Register wishes sight of the old commission, anent the visitation and reformation of, 612.

\_\_\_\_\_, ARCHBISHOP OF, praised by Lord Binning, 620; going to Fife for preparation of General Assembly, 622; written to as to Earl of Montrose's excuse, 623; endeavours to persuade members of Assembly to assent to the King's measures, 624; private meeting between him and Commissioners, 626; exhortation to Assembly, 627; insists that Assembly should either agree to the

King's articles or refuse them, 629, 630; appoints meeting with the Bishops, 631; declines preaching in Edinburgh on Christmas-day, 634; writes to the King, *ib.*; present at examination of Bailie Rig and others, 641, 642, 643, 644.

SANQUHAR, LORD, 630.

SCONE, LORD, 630.

Scott, Mr William, of Couper, objects to kneeling at the communion, 628.

Session, Lords of, wait on Lord Chancellor at his lodging, to accompany him to church on Easter-day, 633.

Simsoun, William, refuses to serve tables at



- communion, 640; a poor man, *ib.*; examined, 642.
- Skene, Sir John, Lord Clerk Register, wishes sight of the old commission, relative to the visitation of Saint Andrews, 612.
- Stewart, William, feud with the Laird of Boquhen, 617.
- Strawquhan, Mr John, 617.
- Struthers, Mr William, minister at College Church, 633; conduct praised by Lord Binning, 636; preaches on Easter-day, 637; performs duties faithfully, 639; answers John Dickson, 642.
- Sydserf, Mr Thomas, minister at College Church, 633.
- Symsoun, see Simsoun, 640.

T.

TREASURER, Lord High (Earl of Mar), 641.

V.

VCHILTRIE, LORD, 630.

W.

- WALLACE, Maister Robert, sharply handled by James VI., 612; excuses himself, and declares his oversight arose out of his westland voyage with Robert Bruce, *ib.*
- Winchester, Dean of, 630, 634.
- WINTON, EARL OF, 631.

Z.

ZETLAND, wrongs done there, 631.













